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THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,
FOR THE

CITY of LONDON,

AND
County of MIDDLESEX,

ON
WEDNESDAY the 6th, THURSDAY the 7th, FRIDAY the 8th,
and SATURDAY the 9th of *December*.

In the 12th Year of His MAJESTY's Reign.

BEING THE
First SESSIONS in the MAYORALTY
OF THE

Right Honourable *Micajah Perry*, Esquire,
LORD-MAYOR of the CITY of LONDON.

For the YEAR 1738.

NUMBER I.

L O N D O N:

Printed and Sold by T. COOPER, at the *Globe* in *Pater-noster Row*,
M.DCC.XXXVIII.

[*Price SIX-PENCE.*]

THE PROCEEDINGS

AT THE

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayer of the City of London; the Right Honourable the Lord Chief Justice WILLAS, the Worshipful Mr. Justice PROBYN, Mr. Baron THOMSON, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City and County of Middlesex.

London Jury.

Middlesex Jury.

Thomas Wrightman,
Simon Bryan,
Jonathan Grainger,
Thomas Turner,
John Burwall,
John Lefevre,
James Long,
Thomas Walker,
Thomas Burket,
Anthony Griffin,
Nicholas Webb,
James Welch.

Henry Wolley,
Thomas Gordon,
William Harwood,
Thomas Harrison,
Samuel Spencer,
George Stevens,
Thomas Hammerston,
Edward Manning,
Alexander Fry,
Francis Wragg,
Henry Hayman,
John Marshall.

1. John Lacey was indicted for stealing two Silk Handkerchiefs, value 6s. the Goods of Thomas Prior, in the Parish of St. Andrew, Underhaft, Nov. 27.

Mr. Prior. The Prisoner came into my Shop the 21st of Nov. a little after 9: I was in a Back Room, and saw him take two Handkerchiefs, which hung upon a Line, in the Shop, and go off with them. I followed him, but this Gentleman laid hold of him, and I saw him drop them.

John Mangery. I saw the Prisoner come out

of Mr. Prior's Shop, and Mr. Prior followed him; upon which I saw him drop the Handkerchiefs, and a Gentleman's Servant (a Black) stopp'd him, and brought him back.

Mr. Prior. These are the Handkerchiefs he took out of my Shop.

Mangery. I believe these are the very same he dropped. Guilty.

2. James Gardiner, of St. Paul's Covent Garden, was indicted for stealing a Gold Watch and Steel Seal, value 13l. 13s. a Gold Ring, set with seven Diamonds, value 8l. a Gold Ring, set with three Diamonds, value 3l. a Hanger, with a Horn Handle, value 3s. ten Holland Shirts ruffled, value 10l. 3s. Cloth Coat, value 20s. and a Pair of Shoes, value 4s. the Goods of Henry Waldron, in the Dwelling-House of William Murray, Oct. 30.

Mr. Waldron. On the 30th of October last, I intended to go to Court, and therefore I asked the Prisoner (who was my Servant) for a particular Shirt? He told me 'twas above Stairs, and accordingly he went up into my Bed-chamber, and after he had taken the Goods, he went quite away, and never came into my Service any more. I lost a Gold Watch, and a Steel Seal which hung upon a Hook, at my Bed's Head, and two Diamond Rings; ten Holland Shirts, a Hanger with a Horn Handle, a Cloth Coat double buttoned, with Gold Buttons, a Dimity Waistcoat, a Pair of Breeches, and a Pair of Shoes. I advertised the Goods, and the Advertisement came out the next Day with a Reward of ten Guineas, to any who would inform me of them. On the Sunday following, the Prisoner came to the Green Dragon Ale-house in Church-Court, where he was stopped with some of my Goods upon him, and

about

about two Hours after he was taken, I saw him at Justice Frazier's, and he fell down upon his Knees, and begged Mercy. He had delivered the Rings to Mr. Frazier before I came, and had confessed they were not his own, but he insisted on it, that he was entrusted with them, though I never intrusted him with them at all. He deny'd his Knowledge of the Watch; but that was brought to me (after the Advertisement came out) by one Smithson, who told me he bought it (the same Day I was robbed) at an Alehouse in Aldermanbury. This Smithson is a Broker in Holbourn. When he was before Mr. Frazier, I asked him, how he came by these Things? He said, they were delivered to him in Trust, without mentioning by whom.

Q. Did you charge him with taking the rest of the Goods.

Mr. Waldron. Yes, and he had two Shirts on his Back, which he acknowledged were mine, and pulled them off, and delivered them to the Constable. The Waistcoat and Breeches, I believe, he has upon him at this Time; I know he had them on Yesterday. He told me, that three of the Shirts were at the Pawnbrokers, and directed me to them. The Hanger likewise was found upon him, but it was taken from him at the Alehouse before I saw him.

Q. How long had he been with you?

Mr. Waldron. He came to me on the 18th of Sept. last, and robbed me on the 30th of October.

Prisoner. I would ask Mr. Waldron, whether he did not intrust me with these Things?

Mr. Waldron. No; not with the Watch nor Rings. He took in my Linnen from the Washerwoman, and when I called for any of it, he brought it me. He had a Key of the Place where it was kept, and I had a Key, that I might look over it, at any Time. He was so far from being entrusted with any Thing else, that when I went down into Devonshire, I put all my Jewels, my Watch, Rings, and Sauff Box, into Mr. Murray's Custody, who is the Master of the House where I lodge.

Mr. Justice Frazier. The Prisoner was brought to my House the 5th of November last. I ordered him to be searched; and after some Difficulty, these two Rings, and this Seal were found in one of his Breeches Pockets, before Mr. Waldron came. The Prisoner told me, he had no Property in them, and that I might keep them if I pleased. When Mr. Waldron came, he owned them, and swore they were the same he lost. They have been in my Custody ever since.

Mr. Waldron. This Seal hung to my Watch: these Rings are likewise mine.

Mr. Frazier. When I ask'd him how he came by these Things, he hesitated and paus'd, and would give no Account: but, says he, I have no Property in them; if you please, you may take them yourself. He owned they were his Master's, before Mr. Waldron, and to the best of my Remembrance he told me, he was not obliged to make any Confession.

Thomas Hawksworth. I am a Pawnbroker in St. Martin's Court; and receiving an Advertisement from Goldsmith's Hall, relating to this Robbery, I remembered the Mark upon a Shirt which the Prisoner had pawned at my Shop in the Name of James Wallis. So I sent my Daughter up Stairs to look over the Goods, and she found four Shirts, which the Prisoner had pawned, at different Times, in the same Name. These are the four Shirts, which I carry'd to Mr. Waldron, and he owned them directly. He pawned them for six Shillings a-piece, and they have been till now, in my Custody.

Mr. Waldron. These are mine.

Hawksworth. The Prisoner pawned a Coat (which I have since seen at Mr. Waldron's) 'twas a brownish Cloth with Gold Buttons, and a Waistcoat and Breeches; but these Things he redeem'd the Night before. The Waistcoat was taken in by my Servant.

Thomas Bridgewater. I bought an Olive-colour'd Coat, and an old red Coat of the Prisoner, on the 31st of October. The red Coat, it seems, was his own. I carry'd them into Monmouth-street, to sell them again, and there I was informed, the Olive-coloured Coat was stole, and being directed to Mr. Waldron, in Henrietta-street, Covent-Garden, I carried it to him, and he claimed it. The red Coat was old, the other was but an indifferent Cloth, and had an old Lining in it; the Gold Buttons were papered over. I paid him 25s. for them. I went afterwards to see him in the Gatehouse; and asked him if he did not know me? He said he could not call me to Mind, but he shook his Head, and had the Breeches belonging to the Coat upon him at that time.

Terence Bagens. The Sunday after the King's Birth-day, I took the Prisoner: He had pawned a Shirt with me for 3s. I keep a publick House by St. Martin's Church, in the Fields, the Sign of the Green Dragon, in Church Court. Mr. Waldron had said he carry'd the Hanger and a long cutteau Knife about him, but I found only the Hanger upon him, which I took from him in my House

House, to disarm him. This is the Shirt; I have had it ever since.

Mr. Waldron. This Hanger, and this Shirt, are mine.

Robert Bushell, Constable. On Sunday Night, about a Month ago, I was sent for to the Green Dragon, to take a Man who had robb'd his Master. I went, but the Prisoner was taken in Custody, before I got there. I searched his Pocket slightly for Weapons, but found none. He was searched again, before Mr. Frazier, and I took two Diamond Rings out of his Pocket. He had two of Mr. Waldron's Shirts upon his Back, which he pulled off; then he pulled his own Shirt out of his Pocket, and put it on.

Anthony Barnes. I am Journeyman to Mr. Carmoult, a Pawnbroker, at the Corner of Russel Court.

Mr. Waldron. This Carmoult kept the Shirts he took in Pawn, a Week after they were advertised. Mr. Frazier sent for this Man, and his Master, but neither of them would come.

Barnes. I have brought but one of the Shirts now, for my Master said, one would be enough to produce to the Court. They are all of the same Sort. I had them from the Prisoner at the Bar, I think about the Beginning of October, they were pawned for 6 s. a-piece, in the Name of James Waldron. I took two of them in myself, but I won't say positively I had them from the Prisoner.

Mr. Waldron. They were desired to go and see the Prisoner in the Gatehouse, but they refused to go.

Barnes. I don't know but Mr. Waldron might desire my Master to go, but I am not my own Master; if Mr. Carmoult had ordered me to have gone, I should have gone.

The Court reprimanded Barnes, and expressed their Displeasure at Carmoult's Behaviour; at the same time ordering an Officer to go with Barnes, and demand the Shirts which were detained, and they were accordingly brought into Court.

Mr. Bathurst. Last September was Twelvemonth, the Prisoner was recommended to me as a Footman, with an honest Character. He served me eleven Months, or better, and left me with a fair Character. Mr. Waldron wanted a Servant, and he told me he had an Opportunity to better himself, by going into his Service. This was one Reason of his going from me.

William Drydell. I keep an Alehouse in the Hop Garden, Bedford-bury, and have known the Prisoner ten or twelve Months. He used to come

to meet some Countrymen of his, at our House, and I always took him to be a civil, sober Man. The Jury found him Guilty. Death.

3. John Riley was indicted for stealing a Stick of Cam-wood, Weight 50 lb. value 10 s. the Goods of Henry George, in the Parish of St. Butolph, Billingsgate, Nov. 21. Guilty.

4. 5. Jane Bates and Mary Gordon, were indicted for privately stealing a Guinea and a Thirty-six Shilling Piece of Gold, from the Person of John Seymour, Nov. 10.

John Seymour. On Friday the 10th of last Month, about a Quarter before Nine at Night, I was going along Cheapside, and Gordon took hold of my Arm, and ask'd me if I wanted a Whore? I walk'd on towards Bow-Lane, and she and Bates follow'd me. When I came to Bow Church, I stop'd about five Minutes, to hear what they had to say: We talked together, and they wanted me to go to a Tavern. While we were talking, I am sure I felt one of their Hands in my Breeches Pocket, and I believe it was Gordon's Hand, because she was nearest me: Bates was not near enough me to do it. I said nothing about it then, but clapp'd my Hand to my Pocket, to know if they had been there; upon which they immediately walk'd off, and I miss'd a Guinea and a Portugal Piece, of 36 Shillings. I had the Money, I am sure, an Hour before, when I came from my Master's House in Bow-Lane, and I had been in no Company. Upon missing my Money, I follow'd Jane Bates into a Publick House, within ten Yards of the Place where we had been talking, and asked her what was become of the other Woman? She told me I was mistaken, and that she had no other Woman in her Company that Night. Very well, says I, pray how long have you been here? A great while, she said; but the Landlord told me she was but just come in, and had given him a Guinea to change: I saw it, and believed 'twas mine; 'tis now in the Hands of the Landlord, and is very pale and very full-headed. I can swear it was mine, but I could hear nothing of the Portugal Piece: I had taken the Guinea but a little before, of a Servant in our House, and had disputed whether 'twas a good one: I think it was not possible for Bates to have pick'd my Pocket, because Gordon stood before me, and Bates stood on one Side of us. I never saw either of them before, but I am sure they are the Persons.

Q. How did you find Gordon?

Seymour. Bates's Husband, by his Wife's Instructions, took her last Saturday Night; but we found nothing upon her.

Richard

Richard Flint. This *Jane Bates* came into my House that Night, and called for a Pint of Beer; then she gave me a Guinea to change: I scrupled it, because I thought 'twas not a good one. I had it in my Hand, and was looking upon it, when the young Man (*Seymour*) came in; he saw it likewise. As to the other Woman, (*Gordon*) I know nothing of her.

William Day, Constable. The Husband of *Bates* li'e of *Gordon* in the Streer, last *Saturday* Night, and charg'd a Watchman with her. In bringing her to the Watch-House, she had like to have been rescued. She confess'd nothing, nor was any thing found upon her. *Seymour*, (the Prosecutor) would have discharg'd her, when he found that his Master would not come to speak for him, nor have any thing to do in the Affair.

Tobias Isaacs (a Jew). On a *Friday* Evening, about three Weeks ago, (but I can't tell what Month, nor what Day of the Month it was) I was at *Bates's* House, and she ask'd me to change her a Guinea; 'twas a sort of a pale Guinea; but I did not change it. I have known her 11 Years, and know no Harm of her.

Elizabeth Wilson. I saw her Husband give her a Guinea, and four or five Shillings, last *Thursday* Morning was three Weeks. She is a Woman that always carries herself sober and honest, and always paid as far as she went. Both Acquitted.

6. 7. *Thomas Brown*, and *John Rigby*, were indicted for assaulting *John Evans* on the King's Highway, putting him in Fear, &c. and taking from him a Silver Watch and a Silver Chain, value 45 s. a Brass Key of a Padlock, value 1 d. and three Shillings in Money, *June* 9.

John Evans. On the 9th of *June* last, about 9 o'clock at Night, I was coming with a Gentleman (*Mr. Smalt*) in a Chaise, from *Newington-Green* Turnpike, down the Road that leads towards *Islington*, and about an hundred Yards beyond the Turnpike, three Men jump'd out of a Ditch; one of them stopp'd the Horse, and back'd the Chaise into the Ditch; then two of them came, one on each Side the Chaise, and drawing out their Pistols, they bid us deliver, or else they would shoot us through the Brains. The Man on my Side the Chaise took about three or four Shillings from me, and ask'd me for my Watch: I told him I had none, but he felt for it, and pull'd it out. Among the Money they took a little Key which belong'd to a Dog's Collar.

Q. What was taken from *Mr. Smalt*?

Evans. About seven Shillings and some odd Money. After they had robb'd us, they went

over the Fields behind a Haycock, towards *Granbury-House*. When I got Home, I talk'd of the Robbery.— all the Parish knew of it the next Day; and in about a Week or nine Days, I heard of the Prisoners by some Gentlemen, who make it their Business to take these People. They told me, that *Rigby's* Father lived in *Shoreditch*, or somewhere about *Morfields*, and kept a Garden. I know nothing of the Prisoners, but by their Stature and Size they should be the Men; and *Rigby's* Father sent once to me; and after that, he came to my House, to make up this Matter; he begg'd I would be merciful to his Son, and that I would not hang him. I told him, I could not hang him, if the Law did not. This was about a Fortnight after the Robbery; and when I had a Warrant out against him. I can't say he offer'd me any Money, but he talk'd about my having my Watch again. He would have agreed to any thing if I would have made it up.

Q. Did he offer to give you your Watch again?

Evans. I can't say he did.

Q. Did he say any thing about your Watch?

Evans. No, Sir, but there was a Sort of a Talk about it, and if I would do so and so, he would do so and so.

Q. What did he propose to you?

Evans. Nothing, nothing at all; but he came with a Design (if he could have agreed with me) to let me have had my Watch again, and to have satisfy'd me with what they thought proper; but because we could not agree, we had no more Words about it.

Q. What did he want you to agree to?

Evans. I heard nothing about that; yet I don't know but he would have given me my Watch, and something beside, if I would have agreed with him. I was with him once about it at *Shoreditch*: The first time we talk'd about it, was when somebody sent for me to *Shoreditch*; so *Mr. Smalt* and I went thither together, and then we told them, we could do nothing at all in it.

Q. Have you seen the Prisoners since they were taken up?

Evans. Yes; I saw them in *New Prison*, and went with them before the Justice, where I told *Rigby* that I believed he was the Man who put his Hand into my Fob, and pull'd out my Watch. He said he was not the Man who robb'd me, but own'd the Watch was given him to pawn the next Day. This Gentleman (*Mr. Goddard*) has got it now.

Peter Smalt. I was with *Mr. Evans* on the 9th of *June*, in the Chaise about 10 at Night, when the

the Robbery was committed. We were robb'd on this Side of *Ball's-Pond* Turnpike. Three Men came up to us, and one of them caught hold of the Horse's Reins, and back'd us into a Ditch. Then the Man that back'd the Horse, went on *Evans's* Side of the Chair, and the other two came on my Side, and with Pistols in their Hands they demanded our Money. They took from me, 7 Shillings, and when they had got that, they went to my left-hand Pocket; I told them there was nothing there but Half-pence. Damn you, said they, Farthings are as good as Silver, and so they took Three-pence from thence. When they demanded *Evans's* Money, he gave them 3 Shillings, and sav'd 8; for when they found his Watch, they searched him no farther. Then they went away, from *London*, towards the Turnpike, over the Fields. 'Twas such a time o'Night, that we could not take notice of their Faces. — We could only observe their Stature, and not so much as the Colour of their Cloaths; but we described the Men as well as we could to the People of *New Prison*, and *Clerkenwell Bridewell*, and at last we got Intelligence of the Prisoners, and Mr. *Evans* took out a Warrant against them, by their Names. After they were taken up, I went to the Prison to see them, and found they answer'd the Height and Size of the Men that robb'd us. When they were before the Justice, they were ask'd, if either of them would make himself an Evidence? *Brown* said he knew nothing of the Matter, and so could not. *Rigby* offer'd it, but the Justice would not admit him.

Q. When you heard them talk; did you remember any thing of their Voices?

Smals: I can't say any thing to that.

William Goddard. Last Sunday se'nnight, in the Morning, Mr. *Harris*, the Constable, came to me with a Warrant for the apprehending of *Rigby*, *Jesse Wallden*, and a third Person. I went with him and others, in hopes of taking them all; but at that time we took only *Rigby*. We found him in bed in his Father's House by *Shoreditch*; he keeps a Garden, called *The Curtain*. As we were carrying him over the Fields, I ask'd him if he had not better discover his Accomplices; I told him he would do himself a Piece of Service by making such a Discovery. He told me, for some time together, that he could not, and would not, for he had not seen any of them since the Robbery: But some little time afterwards he said, — "I was not in the Robbery, nor have I seen any of the Persons concern'd in it, since it has been committed; but I can tell you where

"the Watch is pawn'd." He own'd that he went out with an Intent to rob, and that he changed Coats with *Jesse Wallden* (the Butcher) under the Haycock, and that the Robbery was committed while he was under the Haycock, and the Watch was brought to him there, and his Coat return'd him by *Wallden*, after the Robbery. He said farther, that he pawn'd the Watch the next Morning to a Woman in an Alley by *Moorsfields*. I urged him to discover his Companions, and at last he said he knew where to find the other Prisoner (*Brown*); and agreed to go with us to look for him in *Cock-Lane*, in *Shoreditch*. As we were going along he said, "We may as well call for the Watch too, as we are so near" And accordingly, he carried us to a House, and ask'd for it. The Woman wonder'd he should come for a Watch on a Sunday, and told us it lay for a Guinea and a Half. I put two Guineas into his Hand, and bid him pay for it: He gave her the Money, and I had 7 s. 3 d. out of my two Guineas. When I had got the Watch. — Now, says I, you shall know this Watch was stole, a Man was robbed of it upon the Highway — give me my Money again. So she took her 7 s. 3 d. and return'd me my two Guineas. This is the Watch.

Evans. 'Tis the same Watch I was robb'd of.

Goddard. When I had thus got the Watch, we went and took *Brown* in *Cock-Lane*; and upon his denying that he was concern'd in this Robbery, I bid *Rigby* not charge the Man if he was not guilty. Why, says he, he was not with us this Time, but he very often has been with us, and as he expected to be made an Evidence, he must do something. But when he (*Rigby*) was before the Justice, he could speak to nothing but this Robbery, and in this, he said, *Brown* was not concerned. He own'd he was in it himself, and gave us the Names of those who were; but we have not yet been able to take them.

Rigby. I was not in the Robbery, but I pawn'd the Watch. I was coming from *Spittlefields Market*, and met *Jesse Wallden*, *Jack Tapper*, and *Tom Easter*; so we all went to the *Green Dragon* in *Moorsfields*, and drank three or four Pots of Beer. When we came to pay the Reckoning, we had no Money, so they gave me the Watch, and I went and pawn'd it in *Angel-Alley* for a Guinea and Half, and they shar'd the Money. 'Twas not under the Haycock that *Wallden* and I chang'd Coats, 'twas at my Father's Garden. He took my Coat for his white Frock, and I went with him into *Lyssard's Fields*, a Mile and a Half from the Place where the Man was robb'd, and there

went to sleep. He did not return me my Coat till the next Morning.

Nathanael Harris confirm'd *Goddard's* Evidence, adding, that *Rigby* told them *Jesse Wallden* had a white Frock, and lest he should be discover'd by that Means, it was agreed he should change it with him (*Rigby*) for his Coat, who was to wait with a Dog behind the *Haycock*, while they committed the Robbery, and that they all four met at the *Green Dragon* the next Day, from whence he went into *Angel-Alley*, and pawn'd the Watch for a Guinea and Half; that he staying a great while, his Companions, he said, were afraid he was gravell'd; therefore they went from the *Green Dragon*, and waited for him in *Moorfields*. *Brown* Acquitted. *Rigby* guilty, Death.

8. *William Moore*, of *St. Bartholomew the Great*, was indicted for ripping and stealing the Head of a Leaden Pump, quant. 50 lb. val. 4 s. 2 d. being fixed in a Yard belonging to the Dwelling-House of *Thomas Smallwood*, Nov. 6. Guilty.

9. *Francis Turner* of *St. Andrew Undershaft*, was indicted for stealing 16 lb. of Bees-Wax, val. 16 s. the Goods of *Thomas Evenden*, Novemb. 11. Guilty.

10. *Thomas Vutton*, of the Parish of *St. Christopher's*, was indicted for stealing two Velvet Hoods, val. 14 s. and a black Silk Bonnet, value 4 s. the Goods of *John Leppard*, Nov. 6. Guilty.

11. *Samuel Uebelin*, of *St. George's Hanover-Square*, was indicted for stealing three *Cheshire* Cheeses, val. 15 s. the Goods of *Edward Freeman*, in his Shop, Nov. 22. Acquitted.

12. 13. *Henry Hooper* and *Richard Smith*, were indicted for stealing a Barragon Coat, value 20 s. the Goods of *James Newton*, Nov. 30. Both Guilty.

14. *Samuel Tom* was indicted for stealing eight Pair of Yarn Stockings, val. 4 s. 6 d. the Goods of *Richard West*, Nov. 28. Guilty.

15. *William Day* was indicted for stealing a Silver Spoon, val. 9 s. the Goods of *James Smate* and *Thomas Seaward*, Nov. 22. Guilty.

16. *William Bullinbroke* * was indicted for breaking and entering the Dwelling-House of *John Smith*, at 7 at Night, and stealing thence a Calamancoe Gown, val. 8 s. three Pair of Linnen Sheets, val. 20 s. nine Ells of Cloth, val. 12 s. two Linnen Shifts, val. 4 s. a Muslin Hood, val. 12 d. a Cotton Apron, val. 12 d. a Linnen Apron, val. 12 d. two Brass Candlesticks, val. 2 s. and a

Brass Pepper-box, val. 6 d. the Goods of *William Hodsdon*, and a Linnen Roller, val. 6 d. the Goods of our Sovereign Lord the KING. Octob. 18.

Elizabeth Draper. I am Servant to *William Hodsdon* and his Wife: We live in *Bell-Lane*, near *Montague Street*, in *Spittlefields*. About 7 Weeks ago my Mistress sent me out with a Sieve of Oysters to sell in *Petticoat Lane*: When I was coming home, I saw the Prisoner hulking about our Door, and he pretended to be making Water, but I thought he was pushing against it. When we came home, we found the Door broke open, and a great many Things were taken away.

Hannah Hodsdon. I lodge in a Ground Room in *Mr. Smith's House*. On the 18th of *October* I went out about 4 o'clock, to go down to *Billingsgate*, to get some Oysters for the Girl to go out with that Night. I returned home about Seven, and found a Door of my Room broke open; not the Street Door, for that is left open for the sake of other Lodgers, but a Door in the Entry, near the Street Door, which we never made any use of; and as we always went in and out at another Door, this, which was next the Street Door, was fasten'd up with two Bolts and three Nails, and a great Looking Glass hung upon it. This Door we found broke open; and a Chest of Drawers was broke open likewise, and a Calamancoe Gown, three Pair of Sheets, a white Apron, and a Muslin Hood, were taken from thence; the Candlestick and one Apron were taken out of the Room. After my Surprize was a little over, I said to my Husband,

— "I fancy the Man that was transported a while ago with my Brother, has done this,—" "I fancy 'tis *Bullinbroke*." And accordingly, I got a Warrant the next Day, and took the Prisoner; then search'd his Room, and found one of my Shifts. Upon this he was carried before *Mr. Justice Farmer*, and there he own'd the Fact, telling us his Wife was the Occasion of his committing it; but he would not sign a Confession in Writing, nor would he tell us where the rest of the Goods were. His Wife said she knew where they all were, but she refused to tell us. I am sure the Goods I have mentioned to be in the Drawers, were all there when I went out, and that the Drawers were lock'd.

John Theobald. I search'd the Prisoner's Room, and there we found an old Shift, which *Mrs. Hodsdon* swore to. She came to me with a Warrant to take the Prisoner, on the Eighteenth of

* The Prisoner was sentenced for Transportation, in January Sessions, 1736-7, by the Name of *Bullbroke*.

October, about twelve o'Clock at Noon, but they desired me to take Care of myself, for he was a vile, desperate Fellow. Upon this, I thought proper to wait till between 5 and 6 o'Clock for the Assistance of another Constable, and about seven we took him. He told us, *he was guilty of the Fact, and could not help it now.* Says he, "I have nothing to do, but beg my Life." Why says I, you have very lately been transported! Says he, "I was transported about fifteen or sixteen Months ago, and am but very lately returned; My Wife has been the Ruin of me." I never saw the Prisoner's Wife till she came to make up the Matter, and then she told them, her Husband's Life was in their Hands.

Hodsdon. She solicited us to make a Debt of it, and promised to pay so much a-week till we were satisfied.

Mary Varnio confirmed *Theobald's* Evidence, and swore the Shift which was found in the Prisoner's Room, was the Prosecutor's; adding, that the Prisoner, as soon as he was taken, declared himself to be a dead Man, and owned the Fact.

William Hodsdon confirm'd his Wife's Testimony, and said farther, that behind the Door which was broke, there stood a Syllabub-pot, which he believed was a hundred Years old? and this was thrown down and broke, by the Prisoner's entering at the Door.

Prisoner. They accuse me very wrongfully. My Wife deals in Rag Fair, and this Shift, which they found in my Room, might be got there, for aught I know. They said they would swear against me right or wrong. I have no Witnesses of any Kind. Guilty, Death.

17. *Rebecca Sebeire* was indicted for stealing a Gown made of Silk and Cotton, value 18 s., and a Pair of Stays, value 18 s. the Goods of *Jane Luteman*, Nov. 22. Guilty.

18. *Constance*, alias *Constantia James**, of *St. Martin's in the Fields*, was indicted for privately stealing four Thirty-six shilling Pieces, value 7 l. 4 s. and a Half Guinea, from the Person of *William Davis*, Nov. 22.

William Davis. On the 22d of November, about

11 at Night, the Prisoner picked me up in *Catherine street* in the Strand, as I was going home. She told me, she would go along with me. I said, I was going home to my Lodging, and wanted none of her Company. We had no more Talk together, but when I came to my own Door (which was but a little Way from the Place where she first spoke to me) I bid her be gone about her Business, and she went off some Paces. I thought she had been gone, but while I was taking the Key out of the Door, after I had opened it, she brushed in upon me, and while I was in the Entry, she pushed one of her Hands to the Waistband of my Breeches, and the other she employ'd in picking my Pocket. I cry'd out — "What are you doing!" and drew back, and clapping my Hand into my Pocket where I had five of these *Portugal Pieces*, and a Half Guinea, I missed all but one Thirty-six shilling Piece. I fastened the Door immediately, and called my Landlord; she then pretended to strip herself, but I was not satisfied with that; therefore we got a Watchman, and this Woman, to take her up Stairs, and after some little Time, they brought me down my Money.

Mary Bailly. When we got her up Stairs she was unwilling to be searched by Force, — she would undress herself, and when she was all undressed, as she stood upright, one of the Pieces of Gold dropped from her. Then she clapped herself down upon a Bed in the Room, and would be searched no further. I resolved to search her, and she finding it must be done, she clapped her Hand under her, and put the rest of the Money into the Bed, where it was found directly. I imagine she swallowed the Half Guinea, while we were searching her for the other Money.

Ralph Rotheram (Watchman). While the Prisoner was in the Entry, she cry'd out — Fire! Murder! I hearing the Outcry, ran with my Candle and Lanthorn to see what was the Matter. I heard how it was, and we got her up Stairs to be searched; while she was laying her Apron upon the Bed, I heard something fall from her; I stooped down, and took up a Thirty-six

* She was tried in the Year 1736, for stealing four Shillings and a Dutch Half-Crown, from the Person of *William Vannimore*, July 8. and acquitted. See the Sessions Book 1736, p. 156. Numb. 6.

In 1737 she was indicted for stealing nine Guineas from the Person of *James Silk*, but the Prosecutor not appearing, she was acquitted. See the Sessions Book 1737, p. 196. Numb. 7.

In 1737 she was tried for stealing a Watch, &c. the Goods of *William Dance*, and was again acquitted. See the Sessions Book 1738, p. 16. Numb. 1.

Shilling-Piece. Three more were found in the Bed, upon which she afterwards sat herself down.

Prisoner. I met the Man, and we drank some Gin together in the Street; then he told me he was a single Man, and I should go home with him to his Lodging, but I must not make any Noise, for he had the Key of the Door in his Pocket. When he got me into the Entry, he would have used me ill, &c. and I being with Child, cry'd out, *Fire! Murder!* to get rid of him. But the Watchman came and forced me up Stairs; where the Woman that searched me told him there were prettier Girls at home than I was. There were three Pieces found in the Bed, but I don't know how they came there, and what they have said is entirely false. Guilty, Death.

19. Sarah Jones was indicted for stealing a Silver Spoon, value 10s. the Goods of *Mary Prescott*, Oct. 31. Guilty.

20. Walter Hazard was indicted for stealing a Pair of Stuff Damask Shoes, value 2s. the Goods of *Robert Traddwell*, Nov. 29. Guilty.

21. Mary Seymour was indicted for stealing three Linnen Shirts, value 14s. a pair of Laced Shoes, value 4s. a Holland Waistcoat, two Aprons, and other Things, the Property of *John Waggoner*, Oct. 18. Guilty.

22. Elizabeth Dove was indicted for stealing a Shift and two Shirts, the Goods of *George Carlow*, Nov. 15. Guilty, 10d.

23. James Gulph was indicted for stealing a Silver Watch, value 40s. the Goods of *Joseph Flouter*, in his Dwelling-House, Dec. 5. Guilty, 39s.

24. William Beck, alias Dickey, was indicted for stealing two Pair of Leather Breeches, value 13s. the Goods of *James Parks*, in his Shop, Nov. 4. Guilty, 4s. 10d.

He was a second time indicted for stealing a Peruke, a Silk Purse, and twelve Shillings in Money, the Property of *Henry Shaw*, Nov. 2. Guilty.

25. John Andrews was indicted for stealing a Walnut-tree Plank, value 7s. the Goods of Persons unknown, Oct. 23. Acquitted.

26. Robert Andrews was indicted for privately and secretly stealing 55 Guineas, the Money of *Benjamin Tanner*, from his Person, Nov. 22, in the Parish of St. Mary, Aldermanbury.

Mr. Tanner. On Wednesday was Fortnight, half an Hour after Nine at Night, I and six or seven more Countrymen went from the Three Nuns in Aldermanbury to see a Funeral. I stood (to see it go along) about twenty Yards from the Church-Door. While I was standing there, two Men came up against me, and one of them,

with the Point of his bent Elbow kept my Arm thus, — (i. e. confined his Arm by keeping his bent Elbow between it and the Prosecutor's Body) and had it not been for the Crowd, he pressed me so hard with his Elbow, that I should have been drawn down by it. At the same Time I felt something grabbing in my Breeches Pocket. As soon as I could, I endeavoured to bring my Hand to my Pocket, but before I could do that, Kew (the next Witness) said to me, "Sir, your Watch is picked out of your Pocket." No, no, says I, 'tis not my Watch, — 'tis my Money, — 'tis fifty five Guineas in a Purse, which was in my Left-hand Pocket, buttoned up; and the Purse lay at the Bottom of my Pocket. This is the Fellow to the Purse I lost; — I have been a hundred Miles in the Country for it. — I perceived it going, and that another was picking my Pocket, while my Arm was held up, by the other Person's Elbow; which was done with so much Force, that I could not stir my Arm, to secure my Pocket, and my Side is still sore, with (the Pressure of) the Point of his Elbow. I put my Hand into my Pocket, and cry'd — "My Money is gone"! Kew said, — Then that's the Man, and immediately caught hold of him, and said, *he would swear it.* Then I took hold of him, and we carry'd him to the Three Nuns in Aldermanbury, and from thence he was carry'd to the Compter. I apprehend it was not the Prisoner, but another, who pinned me up with his Elbow, — but the Prisoner was pressing against me at the same time as close as he possibly could, and bit his Lips in this Manner, [Here *Mr. Tanner bit his Lips and contracted the Muscles of his Face*] and staring me full in the Face, while he was grabbing in my Pocket.

James Kew. On the 22d of November I carried a Light at the Funeral in Aldermanbury. When I came near the Church Gate, the Crowd press'd prodigiously. I stood with my Light, and the Countryman, (*Tanner*) stood by me: I knew him before. Presently I saw a Man come up, that goes by the Name of BLACK SAM; a Man of a base Character, and who gets his Bread this way. This rais'd my Suspicion, and seeing him, I imagin'd Mischief was going forward: I look'd at the Countryman, and believed 'twas intended toward him. Presently I saw Black Sam shove the Countryman, and the Prisoner (whom I never saw before) was behind Black Sam and the Countryman, but his Situation was a little on one Side of the Countryman. I thought the Prisoner's Hand was in his Pocket, and that he was the Man; but

He look'd genteely dress'd, and I was so afraid to accuse him, that my Knees totter'd under me : But I observ'd what I could, and saw a Hand come out, just where the Countryman stood. I look'd at the Countryman, and thought they were picking his Pocket. As soon as the Hand was drawn from the Countryman, I saw *Black Sam* put out his Hand, and take something from the other. Something hung down, which I thought was the Chain of a Watch. Upon this I immediately said to the Countryman, "Sir, You have lost your Watch." *Black Sam* turned about to me that Instant, and said, — *How d'ye, Master? How d'ye, Master?* — and slipp'd by me. The Countryman, the same Minute said, 'twas not his Watch, but his Money, that was gone. Then, says I, this is the Man that took it, and caught hold of the Prisoner by the Collar: The Countryman seiz'd him likewise, and another Man coming up to our Assistance, he was carried to the *Three Nuns*, and I follow'd them soon after.

Q. What Cloaths had the Person on that the Hand belong'd to which you saw drawn from the Countryman?

Kew. He was in Blue-Grey, and I saw what he was about. *Black Sam* kept shoving him, and the Prisoner was behind the Countryman.

Q. Was any body between him and the Countryman?

Kew. I don't apprehend there could be any one between them; for *Black Sam* kept shoving the Countryman, and the other was behind him: I believe there was no body between the Prisoner and the Countryman. There might be six People round them, but I don't apprehend that any body was between them.

Q. When you charg'd him, as the Person that took the Money, what did he say?

Kew. He said, — I take the Money! — Yes, says I, you took the Money, for I saw *Black Sam* with you. Why did not you secure *Black Sam*, says he? I said I was not sure of the thing, till the Countryman spoke, and then he was just slipp'd by me. While the thing was doing, I don't apprehend that any one was between *Black Sam* and the Countryman, or between the Countryman and the Prisoner: For I was so near them, that I saw them both; and if I had had Spirit enough, I could have put out my Hand, and could have received it (*the Hand with the Purse*), for *Black Sam* put his Hand behind him, and the other Man put all into his Hand but the Strings; then it was that I spoke, and then *Black Sam*

turn'd to me — *How d'ye, Master?* and slipp'd away in the Crowd; and then I said to the Prisoner, Let it be what it will (*that is lost*) you're the Man, — because I said at first he had lost his Watch.

Q. Why did you speak to the Prisoner in particular, above all the rest of the People?

Kew. Because I thought he must be the Man that took it, and because before I spoke I thought he was about it; and because I thought no one was capable of doing it but him; and my Thoughts were so strong, that I laid hold of him.

Q. Was any one else so near, or so stunte, as to be able to take the Purse, and put it into *Black Sam's* Hand, but the Prisoner?

Kew. It was my Opinion there was not. *Black Sam* only confin'd the Countryman, and I charg'd the Prisoner, because I thought nobody else could do it; and, before I spoke, I thought he was about it.

Prisoner. Did you, or *Tanner*, lay hold of me first?

Tanner. Mr. *Kew* touch'd him by the Shoulder, and said, — You are the Man that pick'd his Pocket. He then took hold of him, and said he would swear it.

Prisoner. Was not a Countrywoman as near *Tanner*, as I was?

Tanner. No; there was not. While I had got the Prisoner by the Collar, I look'd about for somebody to assist me, and I saw Mrs. *Billings*, who quarter'd in the Inn, and I call'd to her, and said, — Mrs. *Billings*, this Man has pick'd my Pocket of 33 Guineas, for God's sake take hold of him! Upon this, she and some others assisted me, and we got him to the *Three Nuns*.

Prisoner. Ask Mr. *Kew* if I had not both my Gloves on, and my Cane in my Hand, at that Time?

Tanner. He had his Cane in his Hand, — but he had no Gloves on. I look'd at his Hands the same time he was seiz'd.

Kew. I did not look at his Hands at all; but caught him by the Collar, at the Instant I suspected him to have done the thing.

Q. Had the Hand that deliver'd the Purse to *Black Sam* a Glove on? (*to Kew*)

Kew. No; none at all.

Abraham Woodley. I paid Mr. *Tanner* 10s. for some Cloth I bought of him, on the 21st of November, by a Draught on the Bank.

Tanner. I had 16 Shillings from another Person, which I was to carry down and pay

the Country. The Draught upon the Bank I received between Twelve and One the Day before; so I made up 55 Guineas, and put them in a Purse.

Mr. Woodbaster. I take Mr. Tanner to be a very honest Man.

Prisoner. Ask Mr. Tanner, if he has not been encouraged to prosecute me in hopes of the Forty Pounds Reward?

C. There's no Reward at all in this Case.

Tanner. I have neither been applying to get my Money made up, nor to make up the Matter. After I had been robb'd, I went away directly into the Country, and travel'd Night and Day to get home. My Pocket was pick'd on Wednesday Evening, and I got to Froome in Somersetshire on Sunday; for fear the Gang should do me a Mischief after the Prisoner was sent to Newgate. I had brought up some Goods to sell; and as I was in Necessity for Money against Christmas, I sold these Goods at five Pounds Loss. I had been absent three Weeks from Home; and though I went home directly, yet several of my Neighbours met me, and lamented my Misfortune, which they had heard of by the News-Papers, before I got home, and by a private Letter which somebody had sent into the Country. On Tuesday after I got home, one Gully came into the Crown Inn at Froome, and said he had been in Gloucestershire, Bristol, and other Places, buying Goods; he pull'd out a Sheet of Paper, wrote on both Sides, and told the People he was come to Froome to buy 100 Pieces of Cloth. On Wednesday Morning this Man sent for me; I was afraid to go, lest it should be Bailiffs to arrest me, as I had met with this Misfortune; so I sent a Friend to drink a Pint of Beer there, and learn who it was that wanted me. He returned, and told me 'twas a Gentleman that came from London; so I went to him, and he ask'd me what I would please to drink, and told me he heard I had the Misfortune to have 55 Guineas pick'd out of my Pocket lately at London; I told him 'twas true, and the worse Luck was mine. Says he, I have been considering on my Pillow, by what Means you might have your Money again. I said 'twas a great Loss to me. — He says he, 'tis a great Loss to a poor Tradesman. — I beg your Pardon for calling you so. — I am so, indeed, said I. Well, reply'd he, if you'll be rul'd by me, I'll find Means that you shall have your Money again, though the Man that took it is a Stranger to me, and I have been ten Days from London; yet I have Acquaintance there who will make up this Matter.

Q. Do you know that this Man came from the Prisoner?

Tanner. He insisted upon it, that I should go to London with him, and though he said he came to buy many Pieces of Cloth, yet he would buy none, and at last the Gentlemen of the Place suspected he was a Confederate. About six or seven in the Evening he told me, he would lay me five Shillings, that sixty five Guineas should be made up to me if I would be directed by him, and that the Money should be found in some unknown Person's Pocket, and I should not sign any Writing at all. I told him, it was impossible to make up a Felony, and that the Lord-Mayor had committed him, and had ordered me not to make it up.

Q. Can you make it out, that this Man came from the Prisoner.

Tanner. He said, he came from London directly; and the Gentlemen in the Town having some Suspicion of the Man, I was sent for to the George, and he was taken up, and put into *Liberty Gaol*. When I got home, two Lawyers were sent to assure me, that this Man would give it me under his Hand, that if I would do as he would have me, I should have fifty-five Guineas, and ten for my Trouble. The Justice hearing this, was very angry the Gentlemen should suffer such a Person to be in the Town, — one who had offered to make up the Matter.

Q. Still I ask you, whether you can prove this Man came from the Prisoner, or was employ'd by him?

Tanner. I can't prove that — but there are several Names to the Papers (he had upon him) of Persons, that did employ him. My Lord? With Submission, he was talking of forty Pounds which I expected to make of him, — I never had a Thought about, nor was any Money offer'd me, till this Man came to me to make it up.

Defence. This Countryman is a Man of an ill Character, his Country-people give him a bad Word. He can neither write nor read, and since he has lost his Money, he has heard I have three or four hundred Pounds, and he said he would swear any Thing to get two hundred Pounds of it. He is a litigious Man, — I thought the Court would have indulged me, — I have seed Council, —

C. But here is no Point of Law; and you know Matters of Fact as well as your Council.

Prisoner. The Night this thing happened, I was going from Gutter Lane to Moorfields, and the singing Boys being at the Funeral, I stood between the

the Church-Gate and the Condytt, to see them. As I stood there, a Man came and asked me, Whose Burying that was? I told him, I could not tell. Then a young Woman, who had washed for me, stopped, I asked how she did, and took her by the Hand, with my Gloves on; but before she had spoke a Word out of her Mouth, this Man came and took me by the Collar, and said I had got Mr. Tanner's Watch, tho' I knew nothing of the Matter; and a Woman that belonged to Tanner came and clapped hold of my Collar too. I was carry'd to the Three Nuns, and there I pulled off my Gloves, and turned out my Pockets, and I had — no more than an Eighteen-shilling Piece and some Silver — about me, — that was all I had, — in my Pockets. Call Henry Emps, &c.

Henry Emps. I live in Chick Lane, and sell Cloaths, I was going that Night to the Axe Inn, and the Funeral coming by, I asked the Prisoner, Whose Funeral it was? I never saw him, — nor knew him before, — but he was in grey Cloaths, with a Glove (or Gloves) on, leaning on his Cane. He told me, he did not know; so I walked away, and was not farther from him, than I am now, when a Woman came up and spoke to him, and presently, I heard a Noise, that a Person was laid hold of, for picking Pockets: I crowded up, and saw it was the Person I had just been speaking to.

Q. What Distance of Time might there be, between your speaking to the Prisoner, and your hearing this Noise?

Emps. Not a great while: Five, six or seven Minutes. — It might be seven or eight, for aught I know.

Q. Was you at the Axe Inn that Night?

Emps. Yes; to enquire for a Man that came from Birmingham, but they did not know him.

Susan Phillips. I was going up Aldermanbury at the same Time.

Q. What Business are you of?

Phillips. I follow the Wash-Tub, and was going to put off a Day's Scowering at the George and Gate, in Gracechurch-Street, but seeing the Funeral, I stopped, as others did, and seeing the Prisoner, for whom I used to wash, I asked him for his Washing, &c. I said it was a fine Burying; — Yes, says he, and took me by the Hand, and says he, — pray excuse me, — my Gloves are on. — And not a Minute afterward, — no, — not half a Minute afterwards, — the Mob seized him, and carry'd him away; I can

safely swear to a Minute, and I was just by him when this happened.

Kew. I don't remember this Woman's Face.

Phillips. No; I was in a Deshabille the, and had my Leathern Apron under my Arm, — I had just done Washing.

Prisoner. My Lord, I deal in Hollands and Cambricks, — but I deal with People at the Scotch-Wharf for ready Money, — with Captains of Ships, so I have my Goods the cheaper, — they are not Run-Goods; and I have a Correspondent at Bristol who sends me Irish Cloth.

Thomas Hawkes. I live in Ayliffe-street, — Little Ayliffe street. I have known the Gentleman at the Bar these ten Years, I have worked for him, and he has lodged in my House. I never heard any Thing ill of him in my Life; — I believe he would rather give a Shilling, — than wrong any one of a Farthing.

Q. How long is it since he lodged in your House?

Hawkes. He lodged in my House when he was taken, and he used to carry Bundles in and out, — he always dealt fairly with me, so I never asked him about his Business, but he used to talk — about Hollands and Cambricks, and he used to buy Stockings.

Mary Pakenham. The Gentleman that stands at the Bar, lodged with me, — at Times, upwards of seven Years. He has been gone from me two Years and a Half. When he lived with me, he dealt in Irish Cloth and Scotch Cloth, and I, being a Mantua maker, have disposed of some Pounds-worth for him.

Elizabeth Houseman. I have known him fifteen Years, and have bought Cloth and Stockings of him. He used to come to my House, because — he knew it very well, — I live in a Lodging, and have about fifty Pounds a Year Income. I knew his Wife, she lived about three Years with him, and was an Acquaintance of mine.

Amelia Harrup. I have known him ten Years, and have dealt with him for Cloth, Handkerchiefs, and Stockings. I buy them of him, and sell them again to my Acquaintance; I always believed him to be a very honest, just Gentleman.

James Aris, Back-maker to Brewers and Distillers, in Old street, and John Catterns, had known him a great while, one eight, the other twenty Years, and said he bore an honest, handsome Character.

Ralph Crawford, at Scotch Wharf, near the Hermitage, said he knew him to be frequently with Men belonging to Ships; that he bought

Good

Goods, and paid them and him for what he had of them.

Thomas Grainger knew him fourteen Years; his Wife and Sister bought Cloth and Stockings of him, and he never heard any Harm of him.

Catherine Mattocks knew him ten Years, and deposed to the same Effect.

William Hopper knew nothing of his Dealing, but he used to clean his Cloaths for him, and he paid him for so doing.

The following Witnesses were called to Mr. Tanner's Character.

Henry Kingman. I live at *Froome*, and have known *Tanner* 10 Years. He always behaved like a very honest Man. Some Years ago, he was charged with a Thing for which he took his Trial, but he was acquitted. The Case I don't know at present.

Thomas Grainger. I am Son of the Woman that keeps the *Three Nuns*. I know Mr. *Tanner* to be a very honest Man, and one who would not wrong any one of a Farthing. He never gets drunk, nor raves and swears as some others do. As to the Charge that the former Witness mentioned, I have heard it mentioned by his Countrymen, that he bought some Wool, which proved to be stole, but he was honourably acquitted, and every body thought him innocent, and that it was a malicious Prosecution.

Isaac Percival. I live in the Neighbourhood, his general Character is, that he is a very honest Man.

Edward Marfb. I was coming by when this Fact was committed, and I heard him say, This Man had robbed him of almost sixty Pounds, so I assisted him to the *Three Nuns*, and made the Prisoner go up Stairs. I asked him, what Friends he had to send for? He had none, and scrupled very much to tell his Name. I insisted upon his being searched, and he took a Piece of Gold and some Silver out of his Pockets, but they were not turned inside out. I think he was playing with his Gloves in (not on) his Hands when he was brought into the House.

Mr. Percival. I saw no Gloves at all.

Mr. Marfb. They were not upon his Hands when he was in the House. I heard *Kew* then say, — "Lord! now must I take this Man's Life away! I saw him hand something to *Black Sam*! Must I swear this!"

Mr. Tanner called an Officer in Court to give an Account of the Prisoner, who deposed that he had been known as a Pickpocket about the Town, for a long Time; that he had known

him three or four Years, and believed him to be a Pickpocket; and that he had carry'd him before Sir *Richard Brocas* about a Lottery Ticket, lost in *Exchange-Alley*.

The Jury acquitted the Prisoner.

27. *Jane Hollis* was indicted for stealing a Velvet Hood, val. 15 s. a Leghorn Hat, val. 12 d. a Holland Apron, val. 3 s. a ruffled Shift, val. 5 s. a lac'd Mullin Hood, val. 12 d. with other Things; and 4 Guineas, three Half-Guineas, and 13 s. and 6 d. in Money, the Property of *Richard King*, in his Dwelling-House, Oct. 9. Guilty, 39 s.

28. *David Marshall* was indicted for stealing three Silk Stockings, val. 18 s. the Goods of *John Horner*, Nov. 13.

It appeared that Mr. *Horner*, a Stocking-maker in *Pancras Lane*, lost three Silk Stockings, one of which was brought to him by Mr. *Bridgen*, a Dyer, who received it from one *Brown*, and *Brown* swore he bought it of the Prisoner for 2 s. 6 d. the other two were sold by the Prisoner to Mr. *Denny* near the *Cloysters* for six Shillings: And it appearing the Goods were sold at an Under-price, the Court very severely censur'd *Brown* and *Denny's* Behaviour in this respect. Guilty.

29. *James Lyon* was indicted for that he on the 10th of *August*, in the 5th Year of his present Majesty, in the Parish of *St. George the Martyr*, did marry and to Wife take, *Mary Williams*, Widow; and afterwards, on the 19th of *July*, in the 11th Year of his Majesty, with Force and Arms, in the Parish of *St. Mary Magdalen, Old Fish-street*, feloniously married, and to Wife took, *Elizabeth Allen*, Widow, and to her then and there was married; his first Wife, *Mary Williams*, being then living, and in full Life, &c. and afterwards that he the said *John Lyon*, on the 27th of *November*, in the 12th Year of the King, in the Parish of *St. Martin in the Fields*, for the Felony aforesaid, was arrested and taken.

The Council for the Prosecution having taken notice that the Indictment was grounded on an Act made in the 1st Year of King *James I.* c. 2. proceeded to open the Charge, and the Witnesses were called.

Henry Mackworth. I am an Apothecary in *Bloomsbury*: I know the Prisoner *James Lyon*: He came to my House, *August 31*, with my Sister *Mary Williams*, (after they had been taking a Walk in the Fields) and said they had agreed to be married, — I remember it was in *Tottenham-Court Fair Time*, and they were both willing to be married that Day. I bad my Sister consider what she was about; but she, having a Notion

that the Prisoner was worth Money, and that 'twould be a good Match, desired to be married then. The Prisoner and she din'd at my House, and after Dinner she went home to her Lodgings, to dress herself, and we sent for two or three different *Roman* Priests to perform the Ceremony; but they were not at home. At last we went to one *Johnson's* in *Eagle-Street*, (tis a private House) and there we found a Priest, one *Mr. Vane*, and by the Consent of each other, — by asking the Consent of each other, that is, — *whether you'll take me, — and I will take you*, they were married. 'Twas not the Ceremony of the Church of *England* which was read, but that of the Church of *Rome*.

Q. Was a Ring made use of in the Ceremony?

Mackworth. I can't say that: — but 'twas according to the Ceremony of the *Romish Church*, because my Sister was a *Roman*. When the Ceremony was over, they came to my House, and after Supper they went to bed together. Next Morning he went about his Business, and she went to her Lodging. At *Michaelmas* following he took a House in *King-street*, *St. Giles's*, where he kept a Pawnbroker's Shop. Here they liv'd a Year and a Half; and she went by his Name, and appear'd as his Wife in all manner of Shapes and Respects. Indeed since *Christmas* last I have not seen her; we have been to enquire after her, but can't hear whether she is dead or alive.

Counc. Was there any Courtship preceded the Marriage?

Mackworth. He had been with her two or three times, and the thing was talk'd of; she inform'd us of the Offer he had made to her — I never heard it suspected she was his Housekeeper, but she went for his Wife with every one.

Counc. In what Manner was the Ceremony performed?

Mackworth. 'Tis taking such a one for my Wife; — and she says, she takes such a one for her Husband, *To Have, and To Hold* for Life.

Counc. Did the Person produce a Book?

Mackworth. Yes, — *Latin* and *English*; but I did not look into it.

Counc. Then it might be a Play-Book, for aught you know?

Mackworth. I did not look into it, sure enough.

Counc. Was there any *Latin* read at that Time?

Mackworth. I can't say that particularly; but I remember the Consent of the Parties, very well. I never attended a Marriage by a *Papish* Priest,

but this and my own, and that was fourteen Years ago.

Counc. Are you a *Roman*?

Mackworth. Yes, — but the Prisoner is a *Protestant*.

Prisoner, Q. Have not you, (on your Oath) said she pass'd for a Housekeeper, and not for my Wife?

Mackworth. No; nor have I ever heard any such thing.

Prisoner, Q. Had not she a Husband then living?

Mackworth. She had not, he died abroad — Long before this I received an Account of his Death by Letter, and his Relations went into Mourning for him. I have lost the Letter, for I had no Notion of these Difficulties coming up.

Mrs. Mackworth gave much the same Account with *Mr. Mackworth*: adding, that she was a *Roman Catholick*, and that the Prisoner and her Sister were married in the same Manner that she and *Mr. Mackworth* were married; that she could not remember all the Words, only these: — *I take thee for my wedded Wife, and endow thee with all my worldly Chattels*: that the Prayers were in *Latin*; but that the Priest gave them a deal of good Advice in *English*; that there was a Ring made use of; that after the Marriage, they were visited and received Visits as Man and Wife; that during the Year and Half they liv'd in *King-street*, they were not one Night asunder; and that the Marriage Ceremony was performed by a Priest, in a Room up one Pair of Stairs, about Nine o'clock at Night; she and her Husband, the Bride, Bridegroom, and the Priest, being only in Company.

James Stiles. I have known the Prisoner about 6 Years come *Christmas* next. He married *Mr. Mackworth's* Sister, and I remember their living as Man and Wife together in *King-street*, *Bloomshury*. Her Name was *Williams* before he married her. I took the House they liv'd in of the Prisoner, and they liv'd with me in it Half a Year afterwards, and all that Time she went by his Name, and they liv'd and lay together. She has dined several times at my House since last *Christmas* Day. I don't know what's become of her now, — but I believe I saw her last *February*.

Catherine Stiles. I have not known the Prisoner till lately: I have heard my Husband speak to him; but I was not married then. I have known him about a Twelvemonth, and have seen *Mrs. Williams* (poor Woman!) several times since *Christmas*. I believe she was his Wife — else she

he would not have taken the Usage she had from him.

Counc. The Question now is, Concerning a Marriage *De Jure* and *De Facto*; Whether a Marriage by a Popish Priest is a Marriage *De Jure*? She is a Wife *De Facto* — she has liv'd with him as such, and he has acknowledged her for his Wife; but, I must own, I am not prepared to produce particular Cases to this Purpose.

But as I have been often told upon the Circuits, that I must shew some Ceremony to have been performed, I was willing to shew the Truth of the Case. I apprehend the Prisoner would be liable to pay his first Wife's Debts, and if he should, then this poor Woman's Substance, who has been deceived by him, is to be taken from her, and she can claim no Dower out of his Effects. Call Mrs. Allen.

The Council on the other Side objected to her being sworn, and observed that as all Acts constituting Felonies are to be construed strictly, so a Marriage, strictly and according to the Laws, must be a Marriage according to the Ceremony of the Church of England, and it appearing that there had not been such a Marriage, but one by a Popish Priest, it was submitted, that they had not incontestibly established the first Marriage, nor had they so established it, as to be intitled to produce the second Wife.

Elizabeth Allen. I was married to the Prisoner the 19th of July was twelve Months at St. Mary Magdalen's Church, by Licence from Doctors-Commons, and the Certificate is here. He then passed for a Widower, and I lived with him till I took him up, except a little Time he was in Ireland. I found it out in June, and told him of it; he deny'd it utterly, but I called upon Mr. Mackworth, and he confirmed it, and said he was present at his first Marriage, and told me all that he has said here. This was the Reason I indicted him for marrying me. I am a Protestant, and have brought this Prosecution against him, by my own Resentment. I sent for a Marshall's Man, and was present when he was brought before Mr. De Veil.

Carter Bell. I was present when he was arrested, 'twas in Spring-Garden, near Charing-Cross. I am a Servant to Mr. Mackenzie, who lodges at N^o 2. in Spring-Garden, 'twas there he was apprehended for having two Wives, as I was informed, but I did not see the Warrant.

Mr. De Veil. The Constable always keeps the Warrant for his Justification. He was brought before me, and committed by me.

Ann Roe. I was present when the Prisoner married Mrs. Allen, at St. Mary Magdalen's Church.

Council. I apprehend, 'tis necessary (in order to shew the Court has a Jurisdiction to try him in Middlesex) that they should produce the Warrant by which he was taken. The Rule of Law is, — that the best Evidence is to be given in such Cases, and the Warrant will speak for itself: That being produced, it will appear for what Offence the Man was committed, and in this Case 'tis mentioned in the Indictment.

Council. I imagine it never was required, or even was expected, that the Warrant should be produced, and that the Objection with Regard to Jurisdiction is easily answered; for if he had been taken up in another County, he had not come here but by Habeas Corpus. But as he is here, he is to be taken *Prima Facie*, as he is before the Court. And Mr. De Veil says he was brought before him, and committed by him; therefore he can easily shew, if 'twas for any other Offence.

Q. to Mr. Mackworth. Were all the Words necessary to make a Popish Marriage repeated on this Occasion?

Mr. Mackworth. Yes: I never read the Words of a Popish Matrimony in my Life, yet I believe he was married according to this Form. The Priest was in a Secular Habit, but he put on a little Thing, which we call a Stole. 'Tis a Thing that comes round their Shoulders; a Bit of Silk about four or five Inches broad, and hangs down a little Way. He had no Surplice on; but he was one whom I had seen officiate as a Priest; and no Seculars wear the Stole, tho' they may do some Office. Acquitted.

30. Elizabeth Letts was indicted for stealing a Cambrick Mob, laced, value 3s. a Pair of Crimson Harrateen Curtains, value 1s. a Tabby Night-Gown, value 6d. a Diaper Clout, value 6d. a Towel, val. 6d. and a Silver Tea-Spoon, val. 6d. the Goods of Mary Bolton, Dec. 1. Guilty.

31. George Foukes, alias Fox, was indicted for stealing a hundred Ounces of unwrought Silver, value 27l. the Goods of James Shreuder, in his Dwelling-House, Nov. 15. Guilty, Single Felony.

32. John Halse was indicted for stealing a Wooden Drawer, value 2d. Twenty-pence in Half-Pence, and a Silver Groat, the Property of Thomas Burnaby, Nov. 20. Guilty 10d.

33. William Hanson was indicted for stealing a Silk Handkerchief, value 2s 6d. from the Person of Richard Prichard, Oct. 15. Guilty 10d.

34. Joseph Hall was indicted for stealing two Sows, value 4l. and a barrow Hog, value 2l. the Goods of *George Sully*, Nov. 17. Guilty.

35. Samuel Eliot was indicted for stealing fifteen Pound of Loaf Sugar, value 8 s. the Goods of *Joseph Taylor*, in his Shop, Dec. 2. Guilty, 4s. 10d.

36. Lancelot Wybald was indicted for stealing a Cloth Coat, value 18d. two Linnen Shirts, value 3 s. and a Calamancoc Cushion, value 2 d. the Goods of *James Shuter*, Nov. 4. Guilty, 10d.

37. Francis Selby was indicted for stealing a Pair of Dowlas Sheets, value 4 s. the Goods of *Fosbua Murphey*, in her Lodging, lett to her, September 1.

Fosbua Murphey. I let this Woman and her Husband a Lodging, —

It appearing that the Prisoner had a Husband, she was Acquitted.

38. Mary Scot was indicted for stealing a Gold Ring, value 20 s. the Goods of *Thomas Groves*, July 9. Acquitted.

39. Mary Hall was indicted for stealing a Velvet Mantel, value 20 s. three Pewter Plates, value 2 s. a Gold Ring, value 20 s. and several other Things, the Goods of *Mary Peakman*, in her Dwelling-House, Oct. 17. Guilty, 4 s. 10d.

40. Catherine Birch was indicted for stealing nine Quarts of Port Wine, value 10 s. the Goods of *Francis Martin*, Nov. 30.

The Prosecutor not appearing, the Prisoner was Acquitted,

41. Robert Dickinson, of *St. Mary le-Strand*, was indicted, for that he, not having God before his Eyes, &c. on the 16th of *October*, in and upon *Peter Price*, feloniously, &c. did make an Assault, and with a certain Sword made of Iron and Steel, val. 5 s. &c. him the said *Peter* in and upon the left Side of the lower Part of the Belly, near the Navel, did strike and stab, giving him a mortal Wound, of the Breadth of one Inch, and of the Depth of two Inches, of which mortal Wound he languish'd from the 16th of *October* to the 19th, and then died.

He was a second time indicted on the Statute for *Stabbing*. And

He was a third time indicted on the Coroner's Inquest, for feloniously *Slaying* the said *Price*.

Robert Burton, Constable. On *Monday Morning*, between One and Two, I was going my Rounds, and heard a Noise in a Night-Cellar, where they sit up all Night, and sell Beer and Ale, and any thing, and every thing. I ask'd my Beadle if I had any Power to go there, because 'tis out of my Parish? He told me I had.

So I went and found People standing at the Cellar Door, whom I dispersed; then I went down into the Cellar, and saw a great many People, forty, I believe. The Woman of the Cellar led me to the farther Part of it, to some Women, that, she said, had been troublesome; when I returned to the Middle of the Cellar again, I saw the Prisoner and another Serjeant standing upright, and my Beadle said to me, — "Master, 'here's a poor Man wounded!" Wounded, says I, let me see! The Deceased was a *Welsh* Man, and spoke such broken *English* that I could hardly understand him; but he lifted up his Coat and Shirt, and I saw no Blood, but something that I thought had been a Wart upon his Belly: He kept groaning and sighing, and said he was stabb'd and murder'd; upon which I said, — Pristee let's look at it again; I saw it again, and perceived some Spots of Blood upon his Shirt, and that 'twas the poor Man's Cawl which hung half an Inch out of his Belly. I ask'd him who did it? He told me the Prisoner, who then stood near to, and facing the Box, where the Deceased sat, and made no Answer to what the Deceased said. I bid him be sure of what he said; — Yes, says he, That was the Serjeant, (pointing to the Prisoner) that stabb'd and kill'd me. Then I turn'd to the Prisoner, and told him I must secure him; he had his Sword then in his Belt, but Serjeant *Duckworth*, who stood by him, took hold of it, and turn'd the Point of it towards me, before I took it out of the Prisoner's Belt, that I might see the Point was naked, and without a Chape, (i. e. the Metal Cover at the Point of the Scabbard) I took notice of this, and after I had seiz'd the Sword, I order'd him to be carry'd to the Round-House, where I waited for the Deceased to come and confirm his Charge. He was no sooner come in, but I observ'd his Countenance change; so I sent for a Surgeon: And while he was gone for, I enquir'd again of the Deceased, how he came by his Wound? The Prisoner was present at the same time, and heard the Deceased tell me He was the Man that had stabb'd, and kill'd, and murder'd him. The Prisoner said, — "Could I do it, with my Scabbard on, and my Sword undrawn?" The Deceased (in a Passion) said, "Yes, you did it, — and, d—n you, you Villain, you know you did it. Your Sword was naked, and you knew it. I only said — it was not fair to draw upon a naked Man, and you said, — G—d d—mn your Bl—d, I'll stab you, and you did it directly." This was what the Deceased said, and I did not hear the Prisoner make any Answer at all to it. When

When the Surgeon came, he said the Wound was dangerous, so I ordered a Bed for him (the Deceased) in the Watch-House. The Prisoner also had a Bed, and lay in the Watch-House that Night, and next Morning he was carried before Mr. Justice Hilder, and from thence to St. Martin's Round-House, as the securer Place. In the Evening the Surgeon declared his Sense of the Danger the Deceased was in, and desired the Justice might be sent for to him, before he died. Accordingly, I brought the Justice and Prisoner to the Deceased; he was then in a colour'd Coat, but the Deceased knew him immediately; the Justice gave him his Oath, and he swore that was the Man who murder'd him. I don't remember the Prisoner said any thing at all in his own Vindication.

Jury. Was the Deceased sober at that time, or in Liquor?

Burton. I can't tell; I believe he had been drinking.

William Roise (Beadle) confirm'd *Burton's* Evidence: He said that while the Constable went to the farther End of the Cellar, he stood between the Prisoner and the Deceased, who told the Witness he was stabb'd by the Prisoner; and that he had only said to him, 'twas a Shame for him to draw upon a naked Man; to which the Prisoner did not answer one Word. The rest of his Evidence allied with Mr. *Burton's*. He added, that he was one who attended the Deceased to the Watch-House, who seem'd likely to faint away several times, as they were bringing him along; that he went for the Surgeon who dress'd the Wound, and then the Deceased swore again at the Prisoner, and said he had kill'd him, and that his Sword was naked; that when the Justice was examining the Deceased, some body ask'd the Prisoner if he was not sorry? to which the Prisoner reply'd, — Sure, — I am sorry; he likewise said — the Deceased had been drinking, but he imagin'd he was sensible with regard to what he said and did.

Thomas Sealy, (a Watchman) deposed, that the Deceased was a Taylor; that he saw the Prisoner in the Strand, and heard him say, — D — mn your Blood, what signifies killing one Taylor, — eight more makes a Man. That he heard him say this in *Clare-street*, when he was in the Custody of the Watchman and Constable. That he attempted to knock up one of the Watchmen's Heels, that he might escape. That when the Prisoner and the Deceased were at the Watch-house, the Deceased said — I am a dead Man, by God, — that's the Man that has killed me, — pointing to the Prisoner.

Q. to Burton. Did you hear the Prisoner say, when he was in your Custody, What signifies killing one Taylor, &c.

Burton. No; but I was sometimes six or seven Yards behind him; I did not hear him say this.

James Andrews corroborated the Constable and Beadle's Testimony, in every other Respect, but this — He said the Prisoner refused to deliver up his Sword; that he, upon his Refusal, set down his Lanthorn and Staff, and told him, he would snap it in two, and that upon the other Serjeant's Persuasions he delivered it. That he had hold of him when he was carrying to the Watch-house, yet did not hear him say, — What signifies killing a Taylor, &c. But, that he once turned about, — and he believed intended to have kicked up one of their Heels. That the Deceased, while the Surgeon was dressing him, started up and cry'd — d — mn your Blood (to the Prisoner) did I say any thing else to you than this, — "It was not fair Play to draw upon a naked Man"? — upon which you said, — d — mn you, I'll stick you. And that the Prisoner did not answer a Word to this.

[It was here urged that the Justices should endeavour to suppress these Night-Houses and Cellars, which served as harbouring Places, or loose, disorderly People.]

Francis Sherrard, (a Watchman) confirmed the Account the Constable, Beadle, and *Andrews*, gave of the Affair, from the Deceased's being led out of the Cellar, to his being put to Bed in the Watch-house.

John Moore gave exactly the same Account with *Sherrard*.

Catherine Price, the Widow of the Deceased, deposed, that she saw her Husband in Bed at the Watch-house at 7 o'Clock the next Morning; that he told her, he saw a Coachman and a Serjeant quarrelling against the Cellar-door. That he only said, It was not fair to draw upon a naked Man, upon which the Prisoner said, — G — d d — mn you, — you shall have it, and stabbed him. That he died at the Watch-house on Thursday following; that she attended him to his Death; found him sensible to the last, and that he did not vary in the Account to his last Minute.

Richard Hopkins (the Coachman). I was coming out of this Cellar that Morning, between One and Two, and the Prisoner and another Serjeant came out likewise. The Prisoner's Comrade stood to make Water, at the Cellar-Head. As I passed them, I cursed my Fortune, that I had got

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no more Money that Day. The Man that was making Water damned me. I told him I said nothing to him; but he damned me again, and said he would thrash me. I walked on, but he followed me, and struck me in the Face, and the Prisoner came up, and twirled my Hat and Wig off, and gave me a Blow on the Shoulder. I had nothing in my Hand, nor did I strike at them, till they struck me. While we were quarrelling, two Men came by; then I said, if either of these Gentlemen will stand by me, I'll fight either of you; upon which one of the Gentlemen said, — if you'll fight one of them, I'll fight t'other. I made no more to do, but fell upon the Prisoner, and we both tumbled down in the Dirt, when I got up and ran away thirty or forty Yards; then I turn'd, and saw a naked Sword, and heard a Cane or Stick struck against the Ground, but I don't know who had either the Sword or the Stick, for I came no more near them.

The Widow. My Husband had taken no Stick out with him.

John Sharp (another Coachman) said, — He saw a naked Sword in the Prisoner's Hand, while a little Man and a tall Man (between One and Two in the Morning) were disputing with him. That there was likewise a Gentleman present, who had a Stick in his Hand, and who got behind a Post and struck at the Sword with it. That the two Soldiers, upon this, went down into the Cellar, and the little Man threw a Handful of Dirt and Oyster Shells after them.

Robert Price, the Deceased's Brother, deposed, that the next Morning he went to the Watch-house to see his Brother. That the Prisoner came and looked at the Deceased, and said, — nothing vexed him, but the Scoundrels dragging him along like a Thief. That the Surgeon came about ten o'Clock to dress him, and at that Time the Prisoner cry'd, — I did stick him! I did stick him! But you gave the Affront. To which the Deceased reply'd, — I only said, 'twas a Shame to draw upon a naked Man; I went up into a Corner away from you, but you followed me and stabbed me. This, he said, was spoke before the Prisoner, who answered not a Word, and when he was before the Justice he owned again, that he had stabbed him, and said, — Sure I am sorry. And the Deceased continued making the same Declaration to his Death.

Sarah Johnson gave the same Account of the Deceased's Words.

Henry Holdip (Surgeon) was sent for to the Deceased between Two and Three in the Morning,

Oct. 16. and found a Wound, which had penetrated into the Cavity of the Belly, and the second of the small Guts was wounded. He said that a great Quantity of Blood was contained in the Cavity of the Belly, and the Guts inclined to a Mortification. That he believed he did say he received the Hurt from a Soldier; and that the Wound was the Cause of his Death.

Samuel Frost was coming by at the Time this happened, and saw four People giving hard Words to one another at the End of Swan-Yard, in the Strand; among whom were the Prisoner and the Deceased.

This Witness went down into the Night-Cellar to drink; the Deceased came down after him, with his Cloaths unbuttoned, and shrieking. The Prisoner and his Comrade followed him, and the Deceased said to the Prisoner, — Lord, what have you done! The Prisoner said, — have I stabbed you? Yes, says the Deceased, and shewed the Wound; a Spot of Blood was upon his Shirt and something white hung out of his Belly. He added that one of the Men he saw quarreling was a little Man, and that the Deceased was a little Man.

Defence. *John Duckworth* gave an Account, that he and the Prisoner, and Serjeant Brown, had been drinking that Night, till between One and Two o'Clock, in this Cellar. That he went out first, the other two following him, and missing the Prisoner, he went back to the Cellar Door, and found him speaking to *Dorothy Willmet*, and treating her with a Pint of Two-penny. That he then went from them seven or eight Yards to make Water, and a Man came up and d—mn'd, and said, he had been out all Night, and had got no Money. That he told the Man, he had been out too all Night, and had spent his Money. That upon this, the Man d—mn'd him again, and said, — He was one of K—G—'s bad Bargains, and he had licked one of his Bull-Dogs, a Night or two ago, who was as big as himself (Meaning the Witness.) That he jostled up to him, tho' he told him he had no Inclination to quarrel, and the Prisoner hearing the Matter, came up, and asked him why he abused his Friend. That they both bad him be gone, but he jostled between them, knocked the Prisoner down with his Fist, and then fell upon him; that he took off the Man, and while he was doing it, received several Blows from Stones or Oyster Shells. That by the Fall, the Prisoner's Hat flew off, and his Sword fell half-way out of his Belt, which the Witness took hold of; but the Prisoner drew it, scabbard and all, through his Hands.

Hands, and the Chape was off, which was found in the Place where he fell, next Morning. That the Prisoner when he recovered his Sword, only kept his Arm straight, and the deceased running violently upon him, might receive the Point of it, the Prisoner not knowing (he believed) that the Chape was off, and the Point bare. He said, the Deceased immediately went down into *Holder's* Cellar, and was followed by himself and the Prisoner, to prevent having their Brains knocked out by Stones and Brickbats. That they were four or five Minutes in the Cellar before they knew the Deceased was the Man they quarrelled with; that he did not complain 'till *Holder* called the Constable, and that the Prisoner's Sword was never drawn at all. He said the Prisoner was as far from being a quarrellome Man as any in the three Regiments.

Dorothy Willmot confirm'd *Duckworth's* Evidence.

Marget Holder gave an Account that the Deceased had been two or three times that Night at her Cellar, he had been very troublesome, and that she believed he was in Liqueur.

William Holder found the Chape of the Sword next Morning in the Street where the Scuffle had been.

Walter Burton, a Sword-Cutler, said the Chape of the Sword appear'd to him to be loose, and 'twas his Opinion it dropp'd off by Accident.

John Long depos'd, That about three Weeks ago he heard *Sharp* (the former Evidence) say he saw a Sword drawn, and a Man with a Stick offering to strike, but he could not tell who held the Sword, nor who the Stick.

Mr. Hilder depos'd, That when he was with the Deceased and the Prisoner, the Deceased said the Sword was drawn; the Prisoner said it was not; and when he was ask'd concerning the Stabbing of the Deceased, he neither own'd it, nor denied it.

Serjeant Phillips gave an Account of his having seen both the Prisoner and the Deceased in the Watch-House; that the Prisoner said the Accident happen'd by his engaging in a Quarrel, and he did not know the Chape of his Sword was off; that the Deceased's Wife was present, and said her Husband was at home at Twelve, but upon a Quarrel he went out again; and when a Man in the Watch-House told the Prisoner he might be let out, he said, —no, —if I have wounded the Man, 'twas innocently, and I'll do no such thing.

Upon a Question from the Jury, the Surgeon gave his Opinion that the Wound might be made with the Sword as it was produced in Court (without the Chape.)

Captain *Car*, Captain *Hillsley*, Captain *Boscawen*, *Edward Ellage*, and *Francis Corderoy*, gave the Prisoner the Character of a peaceable, sober Man. Guilty, *Manlaughter*.

42. *John Dickenson*, of *St. Sepulchre's*, was indicted for that he, on the 28th of September, in and upon *Thomas Tribe* did make an Assault, and with a certain Penknife, val. 1 d. which the said *Dickenson* held in his Right Hand, in and upon the Inside of the Left Wrist of him the said *Tribe*, did strike and thrust, giving him a mortal Wound, of the Length of four Inches, and of the Depth of half an Inch, of which he languished from the said 28th of September, to the 24th of November, and then dy'd.

He was a second time indicted on the Coroner's Inquest, for feloniously slaying the said *Tribe*.

It appear'd the Prisoner and the Deceased had been drinking, and playing at Cards at the *Coach and Horses* in *Black-and-White Court* in the *Old-Baily*, till Two o'Clock in the Morning; that they both lay in the House that Night, and the Prisoner went to Bed first, put out his Candle, and fasten'd his Door with an old Curtain Rod; after which the Deceased, and one *Orme*, went up to Bed in another Room on the same Floor; and the Deceased resolving to get into the Prisoner's Chamber, and tie his Toes together, for a little Fun, (as he declared before he went up) he left his Candle on the Outside of the Door, and went (in the Dark) to the Prisoner's Bed, who was heard to say, *Tom, be quiet*, and afterwards, *By G-d, Tom, I have done for you*; that the Deceased cry'd out, *Lord have Mercy upon me, I am a dead Man! the Irishman (the Prisoner) has kill'd me!* the Blood flowing from the Wound in a surprizing Manner. *Mr. Snoud* (the Surgeon) being call'd, the Bleeding was stopp'd, and after the Deceased had kept his Bed about three Days, he seem'd to recover, and at Length the Wound was cur'd; but the Effusion of Blood had occasioned a Weakness of Body. It appear'd that under this Indisposition the Deceased had play'd at Skettles, and that three Weeks after the Accident, he walk'd to *Richmond Park*, where he sat a great while to see the Nobility hunt in the Park; after which he walk'd some Part of the Way home, and came the rest by Water. It likewise appear'd that he had taken Cold, which was follow'd by a violent Fever, of which he died.

John Cruikshank, *Thomas Barnes*, *John Hinton*, *Henry Thompson*, *George Hindmarsh*, and *William Romney*, gave the Prisoner the Character of a very quiet, peaceable Man.

The Jury found him Guilty of *Manlaughter*.

43. *Priscilla Hilliard* was indicted for stealing a Pair of small Leather Shoes, val. 2s. the Goods of *Samuel Hall*, Dec. 6. Guilty.

44. *Mary Gough*, of St. George's, *Harver-square*, was indicted for stealing three Gold Rings, val. 15s. twelve Silver Medals (*Fernegan's*) val. 12s. a Silk Gown, val. 12s. the Goods of *John Trevor*, Esq; Oct. 9. Guilty.

45. *Joseph Sheppard* was indicted for stealing a Silver Watch and Gold Seal, val. 8l. 8s. the Goods of *Joseph Plafow*; a Silver Watch, val. 3l. 10s. the Goods of *Mary Smith*, Widow; a Silver Watch, val. 2l. the Goods of *Henry Cookson*; a Gold Seal, val. 9s. and a Gold Chain, val. 9s. the Goods of *James Birdsell*, Nov. 15. Acquitted.

46. 47. *William Cockran* and *Joseph Bradley* were indicted for breaking and entering the Dwelling-House of *Henry Burdin*, about Ten at Night, and stealing a Pair of Linnen Sheets, val. 5s. two Blankets, val. 2s. a Woollen Rug, val. 12d. a Cloth Cloak, val. 8s. the Goods of *Henry Burdin*, and several other Things the Property of *Jane Shelley*, in the said Dwelling-House, Nov. 24. Both Acquitted of the Burglary; Guilty of the Felony.

48. *James Stiles* was indicted for stealing 54. 9d. in Copper, the Money of *John Haines*, Nov. 23. Guilty.

49. *James Winstanly* was indicted for stealing 15 lb. of White Ginger, val. 7s. the Goods of *Samuel Sidbotham* and *Thomas Wright*, in the House of *Joseph Broad*, Dec. 5. Guilty.

50. 51. *James Packer* and *Robert Mountfield*, alias *Hunford*, were indicted for stealing a Hempen Sack, val. 1s. and 73 lb. of Fat, val. 13s. the Goods of *Thomas Smith*, Nov. 22. Both Guilty.

52. *Alice Hall*, alias *Bacdonnaugh*, was indicted for stealing a Gold Ring, val. 15s. the Goods of *John Montgomery*, Oct. 24. Acquitted.

53. *Ann Grouden* was indicted for stealing a Silver Tankard, val. 5l. the Goods of *Edward Blyssard*, Oct. 19. Guilty 39s.

54. *John Roberts*, alias *Davis*, was indicted for stealing four Common Prayer Books, and three Psalm Books, the Goods of *Thomas Hughes*, and a Bible, the Goods of *James Smith*, in the Parish of St. Edmund the King, Nov. 10. Guilty.

55. 56. *John Wilkinson* and *William Etton* were indicted for stealing three Guineas, and 6s. the Property of *William Waters*, in his Dwelling-House, Nov. 15. *Wilkinson* Guilty 4s. 10d. *Etton* Acquitted.

57. *Elizabeth Woodn*, alias *Wooden*, was indicted for stealing an Apron, val. 2s. the Goods of *Elizabeth Brown*; a Pair of Stockings, the Goods

of *John Salt*; an Apron, the Goods of *William Harding*; and other Linnen, the Property of *Catherine Danby*, Octob. 2. Guilty 10d.

58. *James Fox* was indicted for stealing a wooden Drawer, val. 2d. a copper Medal, val. 4d. and 14s. and 5d. in Money, the Property of *William Byard*, Nov. 22. Guilty 4s. 10d.

59. *Christiana Hunt* was indicted for stealing a Sattin Gown, &c. the Goods of *John Jones*, Nov. 16. Guilty 10d.

60. *John Patterson* was indicted for stealing a Pair of Leather Clogs, val. 2s. the Goods of *William Taverner*, Nov. 7. Guilty 10d.

61. 62. 63. 64. 65. 66. 67. *John Conyers*, *Elizabeth Perry*, *Luke Spencer*, *John Blacket*, *William Norman*, *Elizabeth Holman*, and *Job Watts*, were Acquitted of their several Indictments; and the Court express'd their Sense of Mr. *Watt's* Innocence.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 4. *James Gardiner*, *John Rigby*, *William Bullinbroke*, *Constantia James*.

BURNT in the HAND, 4. *Robert Dickinson*, *John Dickenson*, *David Marshall*, *William Day*.

WHIPPED, 5. *Christiana Hunt*, *Elizabeth Dove*, *John Patterson*, *William Hanson*, *Priscilla Hilliard*.

TRANSPORTATION, 35. *John Lacey*, *John Riley*, *John Roberts*, alias *Davis*, *William Moore*, *Francis Turner*, *Thomas Hutton*, *Mary Gough*, *Steven Bright*, *Henry Hooper*, *Richard Smith*, *Samuel How*, *William Cockran*, *Joseph Bradley*, *James Stiles*, *James Winstanly*, *James Packer*, *Robert Mountfield*, *Elizabeth Letts*, *George Foulkes*, *John Glass*, *Joseph Hall*, *Samuel Elliot*, *Lancelot Wybald*, *Mary Hall*, *Elizabeth Mooden*, *James Fox*, *Ann Grouden*, *Rebecca Seveire*, *Sarah Jones*, *Jane Holth*, *Walter Hazard*, *Mary Seymour*, *James Gush*, *William Dicky*, alias *Deck*, *John Wilkinson*.

Constantia James pleaded her Belly, and a Jury of Matrons being impanelled, she was found, Not quick with Child.

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Wednesday the 17th of January next.

THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,

FOR THE
CITY of LONDON,

AND
County of MIDDLESEX,

ON

WEDNESDAY the 17th, THURSDAY the 18th, FRIDAY the 19th,
and SATURDAY the 20th, of January.

In the 12th Year of His MAJESTY's Reign.

BEING THE

Second SESSIONS in the MAYORALTY

OF THE

Right Honourable *Micajah Perry*, Esquire,
LORD-MAYOR of the CITY of LONDON.

NUMBER II.

LONDON:

Printed and Sold by T. COOPER, at the Globe in Pater-noster Row.
M.DCC.XXXIX.

[Price SIX-PENCE.]

THE PROCEEDINGS

AT THE

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayor of the City of London; the Right Honourable the Lord Chief Baron COMYNS, Mr. Justice CHAPPLE, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City and County of Middlesex.

London Jury.

Thomas Newman,
John Ridge,
William Sparrow,
Edward Hasker,
John Goldham,
John Conway,
Benjamin Crook,
Daniel Maroon,
Edward Moulteny,
John Chebsey,
John Kemp,
Robert Wallin.

Middlesex Jury.

John Prazer,
William Gilmore,
John Fortescue,
William Blackwell,
William Harding,
Thomas Low,
Stephen Clark,
William Bilson,
Edward Wren,
John Girdler,
John Warden,
Joseph Todd.

68, 69. Elizabeth Reynolds and Martha London, of St. Bennet Fink, were indicted for assaulting Ann Hornby, in a certain Foot-passage near the King's Highway, putting her in Fear, &c. and taking from her a Camblet-Gown, value 2s. a Cloth-Cloak, value 6d. a Checqu'd-Apron, value 1d. a black quilted Coat, value 18d. and a Pair of Stays, value 4s. *January 10.*

Anne Hornby. I had been on an Errand last Wednesday Night, to the other Side of the Bridge, and as I was coming back about seven o'Clock of Night, I met a well-dressed young Woman, whom I afterwards heard was named Sarah. She

asked me where I was going? I told her I was going Home. She next enquired where I lived? I said, I lived by the Old Spaw, near Clerkenwell Bridewell. Then she told me, she lived that Way too, and would go with me, but I must first go a little Way with her towards Gracechurch-street. I went with her 'till I came to a Pump, and there the two Prisoners at the Bar met us. She stepped a little on one Side with them, and then came up to me, and asked me if I wanted a Place? I told them yes, if I could get into a civil Family. Upon this they took me up into a Court, but there being a Light there, they took me into the next, and then one of them said to the others, I believe my Mistress will like this young Woman, because she is so fresh coloured; but (says she to me) you must pull off your Cloaths to see if they are clean. I said, I would not pull my Cloaths off; Won't she, says one of them, — then d—mn the Bitch, give her a Drive on the Wind-pipe; and immediately they put something soft into my Mouth, and took off this Gown, a checqu'd Apron, a Pair of Stays, and my Quilted-Petticoat; all which, the Prisoner London put into her Apron, and carry'd away. The Woman that met me first went away with her, and the Prisoner Reynolds was to stay with me, 'till they came back with my Cloaths. I waited some time with Reynolds; then I told her, I hoped they were not gone away with my Things. No, no, says Reynolds, they are only gone to see if your Cloaths are clean, — I'll go and call them. So away she went, and I called after her (as far as I could) by the Name of Pat, which I had heard the other two call her by. I can't say which of them stripped me, but they were all about me, and held me up against the Wall, while they were doing it. When they had

had all left me; I went back the same Way I came, crying and roaring; and the People asked me if I should know the Persons again that had robbed me? I said I should, and described them as well as I could. One of them, I said, had a black Gown on, and a Cast with her Eyes, and the other had a Scar in her Face. Somebody then said, such Persons lived in an Alley in *Bishopsgate street*, and there the two Prisoners being found, I knew them immediately, and went with them to the Watch-house, where I was examined by the Constable, and because I had nobody to be bound for my Appearance the next Day, I was sent with them to the Counter, and Orders were sent, that I should be taken Care of; but we being all put together, the Prisoners threatened me, and said, when I came before my Lord, I must say, I was very much in Liquor, and pulled off my Cloaths, and gave 'em away myself. The next Morning, a Man came into the Counter, and asked which was the Prosecutor? I said I was. D—mn you, you B—ch, says he, What are you doing? They wanted me to set my Hand to a Paper, and I told them I would, if I might have my Things again. Upon which, *Martha London* pulled off the chequ'd Apron from her Sides, and sent for my Gown out of Pawn. The Petticoat, she said, was hung out of the Window when the Search was made after her, for fear it should be seen in the Room, and the Stays were hid under a Basket of Oranges. I was to have sign'd the Paper they drew up, but as I had not all my Things again I did not.

William Elliot, Constable. Last Wednesday Night I was on my Watch at *Bishopsgate*, and going my Rounds, I met three Watchmen, with the two Prisoners, and this *Hornby*. They told me, the two Girls (the Prisoners) had committed a Street Robbery. *Hornby* was naked, all but her Shift and a coat, and a simple thing which she had wrapped round her Shoulders. I took them all to the Watch-house, and the Prisoners confessed that the Gown, and (I think) the Cloak were pawned at the Corner of *Skinner street*. The least of the Prisoners desired to be made an Evidence, and told me, That the third Person who was concerned with them was gone over the Water.

Prisoner London. I sell Oranges and Lemons, and was waiting at the Top of a Court for this *Reynolds* to come to me. About seven o'Clock she and the Prosecutrix, and *Sarah Creech*, came to me. *Creech* told the Prosecutrix, she would help her to a Place, but she must see whether her Cloaths were clean or not; and so she took off her Cloaths and put them into my Apron, then

Creech and I went away and left *Reynolds* with the Prosecutrix. I pawned her Gown and Cloak for Six-pence at a Place where my Mother used to pawn her Things before she dy'd. After this, I went home to Mrs *Thornton's* and bought a Twopenny Loaf; and had not been at Home but a very little Time before the Prosecutrix came in. She bid me herself pawn them, and buy some Victuals.

Pris. Reynolds. I was going up to *Cornhill*, and met the Prosecutrix and *Sal Creech*. 'Twas they persuaded the Girl to pull her Cloaths off. They carried them away, and I staid a great while with her. At last she fell a-crying, and I called out, *Pat London*; but not hearing her answer, I went home. *London* hung the Girl's Petticoat out of the Window when the Watchman came, that it might not be seen, and the Stays we hid under a Basket of Oranges. Both Guilty. Death. The Jury recommended them to the Mercy of his Majesty.

70. *Thomas Carter*, of *St. Leonard Shoreditch*, was indicted for stealing a *Cheshires Cheese*, weight 28lb. value 1s. in the Shop of *William Bond*, Jan. 11. Guilty 4s. 10d.

71. 72. *Charles Cockle*, the Younger, and *Ann Walker*, of *St. Paul's Covent Garden*, were indicted for assaulting *George Mac Ben*, in the House of *Charles Cockle* the Elder, putting him in Fear, &c. and taking from him a Silver Watch, value 5 l. and 6s. in Money, Dec. 27.

Mac Ben. On the 27th of last Month, between 10 and 11 o'Clock at Night, I met that Woman at the Bar, near the Corner of *Denmark Court*. She asked me to give her a Pint of Ale, so we went to the *White Hart*, in that Court. She called for a Decanter of Ale, and as soon as the Ale was brought, the Landlord demanded his Money. It troubled me, to pay my Money before I had drunk the Liquor, and I was not willing to do it; upon which the Woman Prisoner up with her Fist, and gave me a Blow in the Face. I got up and asked her the Reason of her striking me? However, I paid for the Liquor, and forgetting the Dispute that had happened between her and me, I went up Stairs with her, into the Dining Room. I don't know what Money I paid below Stairs, for I gave the Landlord a Shilling for what she and I had had there, and he gave me something out of it, which I put in my Pocket without looking at. We were no sooner got up Stairs, but she knocked with her Foot, and a young Girl brought up another Decanter of Ale, for which I refused to pay. We sat a little while, and then we agreed to go to Bed together. I had seven Shillings in my Pocket,

and after all, I did not go to Bed with her, but she asked me for a Shilling, and a Shilling I gave her. Then she wanted to have my Watch, and made hard-drive at it, but I kept my Hand upon it; she attempted to get it by Force, and struck me; I struck her again, and upon that, the Prisoner Cockle came up, and halled me down Stairs by the Leggs, into a little Back Cellar, where she sat upon my Belly, and swore, with a Knife in her Hand, that she would cut my Throat. Cockle trail'd me down Stairs into the Cellar by the Heels, and there they took my Watch from me, and all the Silver and Copper I had in this Pocket. After this, I came up Stairs, and I thought if I went out of the House, they might say I lost my Watch and Money Abroad; So I sat down, and call'd for another Decanter of Ale; and sometimes I was — sighing, — and sometimes I was — crying: — but knowing I had a Fob in the Binder-part of my Breeches, with Money in it still, I called the Landlord, and asked him, If I could have a Bed there that Night? Yes, says he, if you'll pay for it before-hand. I had both Gold and Silver in my Fob; so I took out some Silver, and paid a Shilling for a Bed. Then I went up Stairs, and put my Cloaths under the Sheets, and my Shoes under my Head. But I had not been three Minutes in Bed before the Woman Prisoner came up, and kiss'd me, and wanted me to be great with her again; but I called the Landlord up, and said, 'twas very hard to pay for a Bed, and not have Liberty to lie quietly in it; upon this he turned her down Stairs. In the Morning I got up, and went down; but seeing no body stirring, I open'd the Doors, and walk'd an Hour and a Half in the Court before the Door. Then I went to the Blue Ball in the Neighbourhood, and sent for Mr. Cameron; when he came, we went into the House, to see if I could get any Retaliation. They were for beating me again, but we got them before a Justice, and now let the Justice of the Law do what it thinks proper.

Prisoners. When did you agree to pay a Shilling for a Bed?

Mac Ben. After I came up from the Cellar.

Prisoners. What Time was it, when you was drawn down into the Cellar?

Mac Ben. Past Twelve o'Clock.

Prisoners. Were not several People drinking in the Fore-Room?

Mac Ben. I saw no body there.

Prisoners. How many Pair of Stairs do you say you was trail'd down?

Mac Ben. Two Pair.

Prisoners. Did you cry out when you was trailing down by the Heels into the Cellar?

Mac Ben. Yes, I did, indeed — manfully.

Prisoners. What Time o'Night was it when you paid the Shilling for the Bed?

Mac Ben. About 2 o'Clock.

Prisoners. Did any body attempt to hinder your going away?

Mac Ben. No; no one at that Time.

Prisoner Walker. Did not I go with you to a Publick House, between St. Clement's Church Yard and Denmark-Court?

Mac Ben. No.

Walker. Where did I take the Money out of your Pocket?

Mac Ben. In the Dining-Room.

Walker. I met him in St. Clement's Church Yard, and I was going Home with some Candles. He went with me to the Door, and staid till I had delivered the Candles. I was forc'd to go to a Publick-House with him; for he said, if I did not go with him, he would make a Noise about the Door, and would say I was his Wife. How much Beer had you in the Dining-Room?

Mac Ben. Upon my Word, I don't know, nor whether I paid for any thing in the Dining-Room.

Prisoner Cockle. Did not you come the next Day to the House, and offer to spend a Guinea, if the Landlord could help you to the Watch?

Mac Ben. Yes.

Cockle. Did you charge me with any thing then?

Mac Ben. Yes; I did.

A Witness. The Prisoner is a Taylor, and his Father keeps a Publick-House: I was there on the 27th of December. I had been there two or three Days, copying out some Accounts. The Prosecutor came in with the Woman about 11 o'clock, and went up Stairs. Presently I heard a Disturbance, and the Landlord went with me into the Dining-Room, where I saw the Prisoner Cockle standing by the Fire-Side. The Woman and the Prosecutor were struggling together, on one Side of the Room, and the young Fellow went to part them, upon which the Prosecutor turned about, and thrust his Fist into the Man's Face, and said to the Woman, — You Be-h, you have got my Watch. The Landlord desired him not to make a Disturbance, and ordered his Son to bring the Prosecutor down Stairs. Accordingly the young Man took him by the Left-Hand and by the Collar, and brought him down Stairs, then he let him go, and he ran into a Nook behind the Kitchen-Door, and stood there about a Mi-

a Minute and a Half, making a great Noise. Several People being in the House, the Father desired his Son not to let him stand making such a Noise there; so he brought him by the Arm into the Room, and set him upon a Bench. He said again, the Woman had robbed him, but did not mention a Word of the young Fellow. The Landlord told him, if the Woman had robb'd him, she should not stir; if he insisted upon it. The Woman then struck him a Slap in the Face, and said, You Villain, how can you charge me with such a Thing! Then the Prosecutor immediately said to her — Go about your Business — you have not robbed me. He was quite mad and drunk; one would have thought he had really been a Mad Fellow. When the Watchman came Twelve, the Landlord threaten'd to send him to the Round-House, which made him change his Tone again, and he declared, the Woman had not done him any Injustice, upon which she went out, and returned again in a Quarter of an Hour. In the mean time, he got up, talked freely, and paid the Landlord 7 d. When the Woman returned, he began to be sweet upon her, and she comply'd with him. Then I thought the Disturbance had been all over, and left him in the Drinking-Room among other Company, about One o'Clock.

John Ray, Constable. The Prosecutor brought me a Warrant in the Morning against the Prisoner *Cockle*: I went with him to the House, and found the young Fellow in his Shirt by the Fire. The Prosecutor did not give me Charge of him, so he went away. I asked the Father, where he was gone? He told me his Son knew I had a Warrant against him, but he was only gone to shift him, and he called to him, to make haste, for the Constable waited for him; he answer'd he would come presently, and did so; then I took him to my House, and the Prosecutor offer'd to make it up for 3 l. several times. The Woman heard I had Justice *Frazier's* Warrant out against her, and she came to my House, and surrender'd herself.

Cockle the Elder confirm'd the Account the first Witness gave in Behalf of the Prisoners, adding, That the Prosecutor never was in the Cellar at all, and that the Prisoner *Walker*, after her coming in the second time, was desired by the Prosecutor to come and sit down by him, which she did, and that in the Morning, when he went out, he heard him, and called out to him, to shut the Door after him.

Mary Cockle said the Prosecutor refused to pay his Reckoning, which put the Woman into a

Passion, because she supposed she must pay it if he did not: In every other Circumstance she corroborated the former Witnesses.

Anne Robinson was there that Night, and said the Prosecutor was not in the Cellar at all; if he had been carry'd there, she must have seen it. And that he himself declared that Night he had not been robb'd, and bad the Woman go about her Business.

Mr. Justice Frazier. When the Prosecutor came before me, I understood that the Robbery was committed in a Ground-Room: I sent to see the Situation of the Cellar, and found it full of Water. Then he could not be positive whether it was done in the Cellar, or not; but he was positive to the Man, he said; yet he wanted to make it up. There was a third Person with him when I examined him, a Woman, whom I could not cause to be now produced.

—— *Ballard, William Symphon, and William Mitchell,* gave the Prisoner *Cockle* the Character of a civil, honest, young Fellow.

Alexander Campbell gave an Account, that *Mac Ben* came to him, on the 27th of December, in the Morning, with his Face bloody and scratch'd, and that he told him he had been robb'd and almost murder'd at the *White-Hart* in *Denmark-Court*. He had known the Prosecutor seven or eight Years, and took him to be an honest Man.

Both Acquitted.

73. *John Fletcher* was indicted for stealing 31 Linnen Handkerchiefs, val. 29 s. the Goods of *James Jenkins*, Dec. 14. Guilty.

74. *Abraham Benbrook* was indicted for stealing four Pounds and a Half of Bees-Wax, val. 4 s. 6 d. the Goods of *William Vintner*, Dec. 21. Guilty.

75. *Elizabeth Stuart* was indicted for stealing two Pair of Worsted Stockings, val. 6 s. the Goods of *Thomas Jones*, in his Shop, Jan. 6. Guilty 4 s. 13 s.

76. *Catherine Demay*, of London, Spinster, was indicted, for that she, not having God before her Eyes, &c. and contriving and intending one *Michael Dunn*, with Poison to kill and murder, on the 15th of December, in the Parish of St. Martin, Ludgate, a great Quantity of *Gantharides*, being deadly Poison, into a certain Liquor, made of Coffee and Water boiled together, of her Malice aforethought, did put and mix, she well knowing the same to be Poison; and afterwards that she the said *Catherine*, in the Parish aforesaid, the Poison aforesaid, and so mixed as aforesaid, in the Liquor aforesaid, of her Malice aforethought, to him the said *Dunn* did give, and

cause to be given, to drink and swallow down : And afterwards, on the 15th of *December*, in the Parish aforesaid, he the said *Dunn*, the said Poison, so mixed as aforesaid, by the Procurement of her, the said *Demay*, did drink and swallow down : whereupon, he the said *Dunn*, by the Poison aforesaid, so as aforesaid taken, was sick and distemper'd in his Body, and of the Sickness caused by the said Poison from the 15th to the 18th of *December*, in the Parish aforesaid, and in *St. Margaret's Westminster*, did languish, and languishingly lived ; on which 18th of *December*, of the Poison, and of the Sickness occasioned thereby, he died, in the Parish of *St. Margaret* aforesaid. So the Jurors say, That she, the said *Demay*, him the said *Dunn*, of her Malice aforesaid, did kill and murder.

She was a second Time charged, by vertue of the Coroner's Inquisition.

The Council for the Prosecution having open'd the Indictment, and the Evidence, the Witnesses were called.

William Charlton. The Prisoner was a Lodger in my House : I am a Barber and Peruke-maker, in *Cock-Court*, on *Ludgate-Hill* : The Deceased was at that time my Journey-man. On the 15th of *December* she called down Stairs for *Michael*, (the Deceased) I told her, he was not at home, and asked her, what she wanted with him ? She said, if I would not take it as an Affront, there was a Pot of very good Coffee for him. No, Madam, says I, I shall not be affronted, 'tis a better Breakfast than I shall give him. As soon as he came in, I told him *Mrs. Demay* had brought him some Coffee, and bid him get some Bread and Butter, and make himself a Toast, and eat with it. I was there from the time of her leaving the Coffee, till the Deceased came in ; then he drank it, and threw away the Grounds himself.

Counc. How soon did he begin to complain ?

Charlton. He did not complain to me, till *Sunday* Morning, and the Coffee was given him on the *Friday* Morning. I sent him on an Errand on *Sunday* Morning, and when he returned, he complained of being cold and chilly, but did not say a Word to me that he suspected the Coffee had done him any Harm. He had a Brother, who lives at *Westminster*, and he told me he would take a Walk to see him ; and from that Time he never came Home ; but sent me word on *Monday* Morning, that he would come as soon as he could, with the Hair I order'd him to bring from thence. I expected him home on *Tuesday*, but he did not come : His Brother came at Night, and told me

he was very ill, and that the Doctors could not prescribe for him, till they knew how he was taken. He was dead, I find, at this Time, but the Brother wanted to hear what I could say. I told him, I never heard him complain till *Sunday*.

Counc. How long had he liv'd with you ?

Charlton. He had work'd with me six Months, within a Week ; and I can't say he ever seemed to ail any thing in all that Time. As to the Prisoner, she lived in the House when I took it ; I know nothing of her Condition, nor of any Intimacy between her and the Deceased, any farther than Civility ; he used to go on her Errands, when he was not employ'd in Business. I thought she looked on him no otherwise than as any body may do on their Servant.

Mrs. Charlton. The Prisoner lodged in our House, and the Deceased was our Journey-man. I was in the Sight of all that passed on this Occasion : When she call'd him, he was not at home ; so she put the Coffee-pot into my Son's Hand, and he set the Pot down before the Fire ; in a Minute he came in, and I took the Pot, and gave it him on the Tea-Board ; and from the Time of her bringing it, to the Time I gave it him, I am sure nothing was done to it ; he drank two Dishes, and in the third Dish he said he thought there was a bit of a Tea-leaf ; when he had said this, he drank that Dish likewise ; and as soon as he had done, I took the Pot, and was going to empty the Grounds ; but he took it from me, and emptied them into the Court : Then I scalded it out, and set it away.

Counc. When did you hear him complain first ?

Mrs. Charlton. Not till *Sunday*. I never heard him complain of the Coffee at all. On *Sunday* he said he felt himself very weak, and complain'd of being cold, but gave no Hint of the Occasion.

Counc. Did you see him any more between that Time, and the Time of his Death ?

Mrs. Charlton. No ; On *Sunday*, after he had complained, he said he would go and take a Walk to his Brother's : I told him, if he was not well, he had better not go so far : He had been laughing, about Half an Hour before, with Customers in the Shop. We used to let him go on her Errands, because she had no body else to go, and we thought she might be afraid of going out herself, and she used now and then to give him a small Matter, such as a Draught of Ale : I never saw any Familiarity between them.

Q. When you told him it was a great way to go, what did he say ?

Mrs.

Mrs. Charlton. He said he was not sick, and would be at Home again about Ten o'Clock.

Brian Dunn. The Deceased was my Brother; I happened not to come home that *Sunday* before eight or nine o'Clock. I found him sitting on an Alehouse Bench, a few Doors from my House; he told me he was very ill, so I got him some Ale and Treacle (for I thought he had only got Cold) then I went home with him, and put him into my Bed, and covered him up close, and he sweat heartily. After sweating, he was very dry; so I got him some Water and put a Toast into it: He drank a good Draught; then I got him a dry, aired Shirt, and sat myself down again by the Fire. By and by he called out hastily, — Brother! Brother! help me up, or else I shall die in the Bed! (This was about Twelve o'Clock.) I ran to him, — Lord have Mercy on me, says he, I am a dead Man! You're dead-hearted, said I, what's the Matter with you? I don't know, says he, I believe I have got a Fever. After this, he could not rest in Bed, so he got up, and put my great Coat on, and walked about the Room. Then I told him I was sleepy, and would lie down; desiring him, if he should find himself worse, to call me. About Day-light, he called me, and told me, he was very ill, very thirsty, and ready to be choaked. I got him something to drink, but then he could not drink any Liquor at all. I asked him what was the Reason he could not drink, when he was so very thirsty? Why, says he, the very Sight of it choaks me! — I have a Burning within me, but cannot drink. I then got a clean Rag, and dipped it into such Liquids as I had, Water-gruel, &c. and with the Rag, I moistened his Lips. I was very much surprized at the Condition he was in, so I told him I would go and fetch Mr. Varney the Apothecary to him; he begged of me not to leave him alone; but I went, and while I was gone, he run out of Doors to an Ale-house, and clapping both his Hands upon the Bar-post, he begged the Woman of the House to help him, — or else he should die! When the Apothecary came, he asked him if he had not been meddling with Girls, and desired him not to be afraid to tell us, if it was so. I requested of my Brother not to be afraid of me, for I would do all I could to help him. In answer to this, he told us, he had not been well since *Friday* Morning; that *Mrs. Demay* gave him that Morning some Coffee; that he saw something like Tea-Leaf in it, but square; yet as he thought it warm and good, he drank it; that in about three Hours and a Half afterwards he found a very

strange Alteration in himself, — (*The Witness here made Use of such Expressions, in his Account of the Disorder, and the Effects of the Poison, as Decency obliges us to suppress.*) I begged very hard, that he would let me know the Truth of the Matter, and he said, — the d—mn'd B—ch *Damay* gave him the Coffee, and he felt (*the Effects of*) it, in about three Hours and a Half; and that the Coffee she gave him was the Occasion of his Death. He died on *Monday*.

Prisoner. Had not the Deceased been drinking, when you saw him on *Sunday* Night?

Dunn. He had been in the House, where I found him on the Bench, and the Landlady had offered to make him a hot Piat. I believe he had drank something at that House.

Prisoner. Have not you declared you'd spend 100 l. to hang me?

Dunn. I have said, I would spend 100 l. to have Right done to my Brother, and that I would hang her, if I could.

William Bishop. I saw the Deceased in his Master's Shop, on the Evening of the *Friday* he took the Coffee. He told me he was very ill, and found an Uncommon Ailment upon him, and was very cold, and in a shivering Condition. I saw him likewise on *Saturday*, but on *Sunday* he told me again, that he was very ill; — very cold and shivering. He was then going to shave a Customer of his Master's in *Fleet-lane*, and he afterwards came and shaved me, and told me, the Gentleman where he had been, had given him a Glass of Brandy, and he thought himself a little better, but still he continued ill. After Dinner he came to me, to borrow my great Coat, to go to his Brother's, because he was cold, and from this time I saw no more of him.

Counc. What were his Complaints to you?

Bishop. His Complaint was in the lower Part of his Body, &c. &c. He said, there was something in the Coffee he had drank like Green Tea Leaves, or Green Tea Dust; and he thought it was the Coffee that had occasioned the Disorder.

Prisoner's Q. Did he say nothing else;

Bishop. He told me on the *Monday* or *Tuesday* fortnight before this happened, that he had lain with a Woman in *Drury Lane*; and he was afraid he had got it, and I understood it, — that he had got the Clap.

Bridget Dunn. The Deceased was my Nephew; I was with him in his Sickness. His Brother came for me, on *Monday* about Twelve o'Clock, and told me, he believed his Brother *Michael* was dying. I went with him, and found the Deceased in a sad Condition, upon a Man's Back. I asked

asked him what was the Matter? Don't be surprized, Aunt, says he. What's the Matter with you, says I, are you mad? I suppose you have eat something that does not agree with you. Aye! says he, that's the Thing, I had three Dishes of Coffee for my Breakfast, which has killed me; and in the last, I saw something like Green Tea Leaves. *Michael*, says I, tell me if you have not been among the Wenches,—if you have, I will get you cured. No, says he,—I shall not live till 12 o'Clock at Night, and, as I hope to be saved, I never knew a Woman in my Life; and in about three Hours he died. He bid me kiss him, and told me he should not die by himself, he should die with his dear Brother. I asked him if he used to breakfast with the Woman? He said no, he had never breakfasted with her before, nor, as he hoped to be saved, had he ever had any Thing to do with a Woman in his Life.

Thomas Duberly gave an Account, That he saw the Deceased on *Monday* Morning. That about 9 or 10 o'Clock he told him he should die, and then the Apothecary was sent for. That he told him, he was afraid he was in Love, or had been dabbling among the Girls. That the Deceased reply'd,—no,—upon his Soul he never in his Life had meddled with any Woman; and throwing his Arms round the Witness, he said,—I have drank three Dishes of Coffee, which were given me by *Mrs. Demay*, two of them I drank greedily, and in the third I saw a great many Spangles, and something like Green Tea Leaves; and since that, I have never been right; for about three Hours after I found an Alteration in myself, &c. [*The Witness here gave an Account of the Disorder, and the Effects of the Poison.*] Afterwards my Body wasted away, that nothing could be like it; and if ever I see her again,—d—mn the B—ch, I'll murder her. That this was the Day he died, and that he continued in the same Story to the last. That the Deceased declared he was in his Senses, and knew what he said; and though at some Times he seemed to be light-headed, yet at other Times, he walked about the Room, and talked very sensibly.

Ann Dewsberry saw the Deceased about eight o'Clock, on *Monday* Morning. She gave much the same Account of the Disorder he was in; and added, That she had an Opportunity of taxing him with having been among lewd Women, when she was left for some time alone with him; but the Deceased solemnly protested he had never touched a Woman in his Life, and told her, the Coffee given him by her who lodged in his Master's House, was the Cause of the Disaster; and

that he drank two Dishes greedily, and in the third he found something swimming like Green Tea Leaves, but not thinking any Harm, he drank that likewise. She likewise declared, That within half an Hour of his Death, he said,—That Coffee had done his Business, and if he lived to see That ——— (calling her a hard Name) he would do her Business; and in the Opinion of this Witness, he was in his Senses to the Minute of his Death, though he had enough upon him to have made him mad.

John Dewsberry saw the Deceased on the *Sunday* Se'night before, in perfect Health; he saw him no more till the time he saw him sick at his Brother's, which was about 3 o'Clock the Day he died. He added, That about 7 o'Clock he grew worse, and called out for his Brother; That *Mr. Tagg* the Surgeon was sent for, but before he came, he was struck speechless and died.

Mr. Varney, Apothecary. I came to the Deceased about 9 o'Clock on *Monday* Morning, and found his Stomach greatly disordered; an Uneasiness in his Throat, and a violent Strangury upon him. I put some Questions to him, which he answered, by saying he had never known a Woman in his Life, and desiring immediately to speak only to his Brother and me, he told us a Person had given him some Coffee, in a Dish of which he perceived something like a Leaf to float, and that presently after he had drank the Coffee he found himself strangely disordered, &c. &c. I advised them to send for a Physician, and accordingly *Dr. Connel* was sent for, but he died about 8 at Night. Upon opening him, we found the Heart and Stomach vastly enflamed, and something—Powder-like, was taken out of his Stomach, but we could not distinguish what it was.

Connc. What do you think was the Occasion of his Death?

Mr. Varney. I think nothing could produce such Circumstances, or be the Occasion of it, but *Cantharides*. Such Symptoms are likely to ensue, on a Person's taking a Dose of them, and on that only, in my Opinion. *Cantharides* taken in an undue Quantity, are Poison. I have been an Apothecary twenty two Years, and am acquainted with the Operation of *Cantharides*.

Prisoner's Q. Whether it is not usual in some Stages of the French Disease to take *Cantharides*?

Mr. Varney. I have heard it is.

Prisoner's Q. If *Cantharides* be given in such a Quantity as to be Poison, how soon do they operate?

Mr. Varney. Generally in about twelve Hours.

Prisoner's Q. If a Person take such a Dose of them as to produce such Effects, is it likely he should go about from Friday to Sunday, without complaining?

Mr. Varney. I should think he must complain sooner?

Mr. Tagg, Surgeon. I was sent for to the Deceased two Hours and a Half before he died, and found him raving, by reason of his Pain, but sensible. The Nerves were affected, and he was almost Convulsive; I was forced to have three or four People to hold him while I bled him. The Symptoms the Witnesses have described, are the Effect of *Cantharides*; and if they are improperly given, they are absolutely Poison. On opening the Body, we found the Stomach vesicated, and the Skin of the internal Coat hung in Flaps, as if a large Blister had been made and broke. There was another not broke, filled with a dirty Mucus, which is unnatural. I can't say I saw the Wings of the *Cantharides*, but it seems he had had large Evacuations, upwards and downwards, and the Mucus was fixed by the Salts of the *Cantharides*: The Veins of the Heart were very turgid and full; and the Viscera were eroded, as well as the Stomach, down to the bottom. There were no Symptoms of the Foul Disease; if there had, I must have seen them. I take it, that nothing but taking an Over-dose of *Cantharides* was the Cause of his Death. I found him in a Sort of sensible Madness; not as a light-headed Man in a Fever, but he had Intervals; he open'd his Eyes, and talked to People; but at the same time was so strong in Motior, that he appeared as if he knew not what he did; but in a few Minutes he would recover, and speak to the People in the Room. The Nerves were concern'd, and consequently the Brain must be affected. I can't say I examined the Body so as to be able to swear he never had had the Foul Disease; but I saw nothing of it.

Prisoner's Q. How long Time do you allow before *Cantharides* will operate?

Mr. Tagg. 'Tis according to the Quantity taken. We allow Twelve Hours the Outside. I don't believe a Person could live 48 Hours with too large a Dose; for the Warmth of the Stomach would make them operate sooner. If so great a Quantity be taken as to occasion Death, it will descend, and affect the Kidneys and Ureters, and occasion, &c. &c.

Prisoner's Q. People know the Use of them outwardly — if they have the same Effect internally, can you imagine a Person will be able to go about from Friday Morning to Sunday, if

so large a Quantity should have been taken inwardly?

Mr. Tagg. Yes, I believe he might.

Doctor Connel. I was sent for to this unhappy young Fellow, about Two Hours before he died. When I came in, he could hardly answer any Questions. Presently he would come to himself, and complain of Tortures in, &c. I asked him some Questions; in answer to which he said — as he hop'd to be sav'd, he had never had any Commerce with Women — but about three Days ago he drank some Coffee, and had never been well since. [*The same Account of the Coffee was given as hath been before mentioned.*] I asked the People about him if, &c. &c. they said, yes, &c. &c. which I thought was the Effect of the *Cantharides*, and I sent for a Surgeon to bleed him, and was going to order him some cooling Emulsions; but the Apothecary told me, he could not drink, he had an *Hydrophobia* upon him, an Abhorrence of Liquids. I was so convinced it was the Effect of *Cantharides*, that I ordered him a Dose of Camphire, which is the best thing against the Symptoms, which are the inseparable Effects produced from such a Quantity taken.

Prisoner's Q. Was it possible for a Man to go about from Friday to Sunday after this?

Dr. Connel. I believe he might: According to the Temperament of the Stomach, and the Quantity taken, he might go about a Week. I have administer'd *Cantharides*, and have been acquainted with the Medicine fifteen Years: I think a Man may go on eight Days before he comes to such a Condition.

Prisoner. My Lord and Gentlemen of the Jury, Never did a Person more innocent appear at this Bar. I never had any Malice or Ill-will to the Fellow in my Days: If he did me any little Courtesy, I paid him in some Way or other; if he fetch'd me Coffee, I said I would give him the Grounds; if I had put any thing into the Pot, is it reasonable to imagine I should have delivered it into Mr. Charlton's Hands? I never knew of any Design against me 'till the Time I went to make Mr. Charlton some Acknowledgment for going out of his House without Warning, &c. and that I never laid my Eyes on the Wretch from the Time I gave him the Coffee 'till I went to Market on Saturday, and that Day I had a Chair-woman with me till Twelve at Night; he was singing at his Work that Night at Eleven.

Mary Winnel. On Friday the 15th of December the Prisoner invited me to breakfast with her: When I came there the Tea-Kettle was upon the Fire; she ask'd me, whether I chose Coffee or

H

Tea?

Tea? I told her, I chose Coffee; (but I have heard she does not drink Coffee herself once in a Twelvemonth) upon which she borrow'd a Coffee Pot, and the Deceased (I understand) was sent for the Coffee. After we had drunk two Dishes a-piece, she said, — Here's a Piece of Oat-cake left, and I expect Mrs. Buckley to come presently, so she went to Mrs. Buckley's Shop (just at the Corner) for half an Ounce more, and Mrs. Buckley brought it herself, but her Customers coming in, she was call'd away; the Prisoner then said, — 'Tis pity the Coffee should be thrown away, so she pour'd some Water out of the Tea-Kettle into the Pot, and as she was going to put the Coffee into the Pot, I told her, I wanted to see her Dining room; she went with me, and in two Minutes Time we came out again, for she was afraid the Coffee would have boil'd over, then she took it, and carry'd it down for the Servant. I can take my Oath she put nothing in it but the Coffee in my Sight: She is as innocent of the Thing as the Child unborn; for I drank of that which was made of the last half Ounce, as well as that which was made first.

Mary Buckley. I live over against the Prisoner's Lodging, and have known her half a Year. On Friday, Dec. 15. she came and desired me to bring half an Ounce of Coffee; I went with it myself, and she asked me to stay and drink a Dish, I told her I would come again presently, but I could not then stay. She is a Person of good Reputation, and was above having any Intimacy with the Deceased: Whenever he went of an Errand for her, she always gave him something.

Counc. Did you drink any of this Coffee?

Buckley. No.

Jane Marfb. I live with Mrs. Storey, (the next Witness) and chair'd for the Prisoner the Saturday following: The Deceased was well, and merry, and perfectly in Health, between Eleven and Twelve at Night; he was singing, and complain'd of nothing, but seem'd as well as I was.

Mrs. Storey. I have known the Prisoner seven Years; she is a very good-natured Woman, and ready to serve any one. 'Tis a Law-Suit that laid her under unhappy Circumstances. On Friday the 15th of December she came to my House about One o'Clock, and staid till Eleven. I desired her to let the last Witness have her Work, and she consented. At Eleven, she went Home with the Prisoner, and I saw no more of her till Saturday Night. I know nothing of the Fact; but I know Mrs. Demay would have nothing to do with such a Creature, unless it was to do him a charitable Act.

Dorothy Hall, the Prisoner's Sister, din'd at Mrs. Storey's the 15th of December, with the Prisoner, and confirm'd Storey's Evidence; adding, that the Prisoner came to see them again on Monday, and went from their House to St James's.

William Watson had known the Prisoner ever since last May was a Twelve-month; she lodged in his House, till her Misfortune came on her by a Law-suit. While she liv'd in his House, she us'd frequently to give his Apprentice (*Arthur Norson*) any little Matter she had left.

James Gilstrap. About a Month before this 15th of December, I took a Walk with the Deceased, and as we were going along, he said, — G—d, Doctor, I have got the foul Distemper, and shew'd me a Box of Pills; telling me, they were to cure him. I have been with him several Times, and once, at a Publick House in Moorfields, we were to see two Girls, but their Father and Mother happen'd to be at Home, else we were to have gone up Stairs with them; I saw the Girls were full of Pimples too. I live at Mr Grainge's, a Hair-cutter, in Great Russel-street, Covent-Garden, and the Deceased had been my Fellow Servant there. He told me his Case, and shew'd me the Pills out of his Pocket and in a bragging Way.

William Phipps got acquainted with the Deceased about five Months before his Death: He gave Account, that about a Month before he dy'd, he told him he had the foul Distemper upon him, and shew'd him a Phial, &c. &c. with a little Liquor in it, which he said was given him by a Doctor at the other End of the Town.

John Thompson depos'd, That about a Month or five Weeks before the 15th of December, he saw a Box of Pills and a Phial in the Deceased's Possession, which he told him was to cure a young Man of the abovesaid Malady. He added, that he came to shave his (the Witness's) Head the very Sunday before he dy'd; that he seem'd very well, and the Witness producing some Brandy for the Deceased to rub his Head with, to prevent his catching Cold, the Deceased said, — Put as much in your Inside, Master, and you'll never catch Cold; upon which the Witness gave him a Dram.

Prisoner. I would desire to know, if Phipps was not once with him in Drury Lane, in Company with a Woman?

Phipps. Yes. I live with a Brandy Merchant in Bridges street, where he came to see me, and I treated him with three Gills of Shrub and Water; then we went to the Crooked Billet, and drank Strong Beer; after this we went to Tom King's, and from thence we went staggering into Drury Lane,

Lane, where he got one Girl, and I got another, and we carry'd them into a House in a Court in *Drury Lane*; when we came out, he told me he had given his Girl the Clap.

C. 'Tis necessary that the whole Truth should be spoke; but you was guilty of a very ill Thing, and 'tis for your Interest to let this be a Warning to you.

Matthew Stevens gave an Account, that about a Month or ten Weeks ago, the Deceased asked him if he could recommend him to one who could cure him, &c. telling him he had lain abroad last Night.

Samuel Farthing depos'd, That he liv'd with a Chymist on *Ludgate-hill*; and that about six or eight Weeks ago, he brought him a little Note, in which was wrote, *Elixir Antivenereum, Uncia una*, and wanted the Witness to give him a little for a Friend, which he refus'd.

Mr. William Morgan gave an Account that in some Stages of the Distemper, 'twas usual to give *Cantharides*, and a Tincture was made of them for that Purpose. It was his Opinion, That if they were taken inwardly by themselves, they would operate immediately; his Reason was, That he himself had been oblig'd to make an Emulsion for the Strangury, 'In two or three Hours after the Application of a Blister. He believed terrible Symptoms, such as Shiverings, Vomitings, &c. must appear in two Hours; and farther, he knew a Case, where six Drops of the Tincture, (in which *Cantharides* are corrected with *Campfire*) produced such a Disorder, that the Patient died, &c. This Witness had known the Prisoner many Years; he took her to be a Person of Reputation, and said her Business was making Habits, and Manteels, and had some little Income beside. He added, That the Deceased had had a Vomit given him before he died, That it was not improbable, That might irritate the Stomach, and enflame it; That he had enquired of the Surgeon who opened the Body, whether they had inspected the Ureters? That the Surgeon said no, — for if he could take upon him to say, the Inflammation was occasioned by *Cantharides*, there was no Occasion for any farther Enquiry.

Mr. Brumpton said 'twas not usual to give *Cantharides* alone; that he had made Experiments upon two Dogs, and found the Symptoms appear in less than six Hours.

Francis Skelborn, and *Elizabeth Johnson* gave the Prisoner the Character of an honest, virtuous Woman, and *Johnson* said, she had some little Income to live upon, beside her Business: Acquitted.

77. *Samuel Duncomb* was indicted for stealing 58 lbs. of *Scotch Coal*, value 12 d. the Goods of *John Greaves*, Jan. 16. Guilty.

78. *William Rogers* was indicted for stealing 13 lb. of Tobacco, val 7 s. the Goods of divers Persons unknown, Nov. 15. Guilty.

79. *John Howard* was indicted for stealing a Saw, value 8 s. the Goods of *Benjamin Clark*; two other Saws, value 12 s. the Goods of *Matthew Thornton*; and one ditto, value 5 s. the Goods of *John Jones*, Jan. 12. Guilty.

80. *John Adamson* was indicted for that he not having God before his Eyes, &c. On the 3d of October, in the Liberty of *St. Martin's le Grand*, in and upon *Catherine Walgrave*, an Infant under the Age of 10 Years, viz. of the Age of 3 Years and 10 Months, feloniously did make an Assault and her the said *Catherine*, wickedly, &c. did carnally know and abuse.

Thomas Walgrave. We found the Child out of Order; she had a Swelling in the Groin; which increasing, we sent it to a Surgeon, who sent for me; when I came to his House, I had there the Opinion of two Surgeons that the Child was foul. It was Matter of great Concern to me, and I suspected the Prisoner, who was my Apprentice. I taxed him with abusing the Child, and he fell down upon his Knees, and owned he had abused her three Times for Satisfaction in his own lustful Way, in the Garret. He would have signed the Confession he had made, but we did not insist upon it.

John Hayes, Surgeon. On the 11th of November, *Mr. Walgrave* sent the Child to me by the Prisoner. I found a Bubo on one Side of the Groin, and an Inflammation on the other, &c. &c. She was very much ulcerated and lacerated, &c. &c. I asked the Prisoner how long the Infant had complained? He said, — a great while, he could not tell how long. I knew her Ailment, so I sent for her Father, and assured him, his Child had the Foul Distemper. I had Doctor *Bartley's* Opinion too, and he concurr'd with me. This Witness confirmed *Mr. Walgrave's* Testimony with relation to the Confession of the Prisoner, and said farther, that there were several large Ulcers on the *Os Pudenda*, and that the Child was now under the Care of *Mr. Dansie* in the Hospital.

Elizabeth Walgrave confirmed the former Evidence; as likewise did *John Martin*; he adding, That he asked the Prisoner (when he made the Confession) whether the Child did not cry? and he answered, No, she could not.

Ruth Norton proved the Prisoner's Confession, and said, the Prisoner told her, he prevented the Child from crying out.

William Richardson gave an Account, that the Prisoner ran away when the Matter was discovered, and confirmed the other Witnesses with respect to the Prisoner's Confession when he was taken; adding farther, That, to his Knowledge, *Mr. Walgrave* had paid for the Prisoner's being cured twice of the Foul Disease.

Thomas Hopper deposed, That after he had heard the Prisoner had made a Confession, *Mr. Walgrave* called him (the Witness) into the Room, and he heard *Walgrave* say, — *John*, in case you'll confess the Truth before *Mr. Hopper*, I will be favourable to you. And upon that, the Prisoner confessed as before related.

Prisoner. My Master said he would be favourable to me, if I would confess, and I depended on his Mercy. Guilty, Death.

81. *Samuel Clark* was indicted for stealing a Linen Shirt, value 6 d. and a Cloth Coat, value 5 s. the Goods of *John Wilkenfon*, Dec. 27. Guilty.

82. 83. *Thomas Rawlinson*, and *James Lawless*, were indicted for stealing 50 lb. of Hempen Sacks, value 18 d. the Goods of *William Williams*, Dec. 21. *Rawlinson* Acquitted; *Lawless* Guilty.

84. *James Lawless* was a Second Time indicted with *John Studder* for stealing a Piece of Sail-cloth, value 9 d. and 100 wt. of Linen Rags, value 18 d. the Goods of *William Williams*, Dec. 24. *Lawless* Guilty; *Studder*, Acquitted.

85. *Ann Longmore* was indicted for stealing a Linnen Shift, value 12 d. and three Pieces of Linen Cloth, value 2 s. the Goods of *Philip Baron*, a Linnen Shift value, 12 d. the Goods of *Sarah Baron*, and two Linen Shirts, value 18 d. the Goods of *Francis Baron*, Dec. 14. Guilty.

86. *William Child*, of *Ealing*, was indicted for assaulting *Richard Gem* and *Robert Tiner* on the King's Highway, putting them in Fear, &c. and taking from the said *Gem* 5 s. in Money, and from *Robert Tiner* 3 s. in Money, Jan. 4.

The Prisoner pleaded Guilty upon his Arraignment. Death.

87. *Elizabeth Lemocke* was indicted for stealing a Cotton Gown, value 2 s. the Goods of *David Wallis*, Jan. 6. Guilty.

88. *James James*, alias *Jemmy the Drummer*, was indicted for stealing a Silver-hilted Sword, val 30 s. from the Person of *John Cotton*, Esq; Dec. 20.

William Murray. On Wednesday Night, the 20th of December, I was in *Russel-street*, against the *Rose Tavern* Door, when the People were coming out of the Play-house; and I saw a Gentleman going to hand some Ladies into a Chariot, the Prisoner was behind him; and this Man (the next Witness) was before him; as he was getting into the Chariot, the Prisoner snatch'd the Sword from his Side, and both he and his Companion ran a-cross the Way; the Gentleman immediately turn'd about, and ask'd me, if I had not taken his Sword; but I went with him into the *Rose Tavern*, and a Gentleman spoke to my Character: The Gentleman's Name is *Cotton*, but I have not seen him since that Time. I have seen the Prisoner at the Play-house, almost every Night, picking Pockets.

James Mattocks. The Prisoner and I, and another, that Night, went to the Corner of *Norfolk-street*, and there we snatch'd from a Gentleman's Side a Silver-hilted Sword, which we carry'd home and knock'd to Pieces. Then we went to the Play, and as the Gentleman was delivering the Ladies into a Coach, the Prisoner snatch'd away his Sword, and next Morning we broke it, and melted it down into a Bar, in a three-corner'd Pot, with a Charcoal Fire, and the Prisoner sold it to a Silver-smith, by a Pastry-cook's, near *Fleet-ditch*. I saw him take it, and melt it: The Gripe of the Sword I think was gilt; and both this and that which we had taken before, were melted together. The Name of the Person concern'd with us is *Hussar*, but I don't know his other Name; and I always knew the Prisoner by the Name of *Jemmy the Drummer*; I did not know his Surname was *James* before.

Prisoner. I never saw this Man but twice before in my Life. I have none to speak for me but God and myself. Guilty, Death.

89. *Thomas Catter* was indicted for assaulting *Samuel Mills* and *John Hill* on the King's Highway, putting them in Fear, &c. and taking from the said *Mills*, half a Guinea, and 10 s. in Silver, and 15 s. from the said *Hill*, June 30.

Mr. Mills. In the Month of June (last) *Mr. Hill* and I took a Ride out for the Air, about Six in the Evening: To avoid the Dust, we went up a Lane call'd the *Devil's Lane*, in the Way from *Lower Holloway* to *Crouch-End*; upon the Turn of an Elbow in the Lane, the Prisoner presented himself, and at a little Distance, saluted us with a Volley of Oaths, commanding us to stand: We thought proper to obey; so he came up to me first, swore again, and demanded my Money, holding

ding his Hat in his left Hand, and his Bridle and Pistol in the right; I gave him what Silver I had, but he told me, he must have more, so I gave him Half a Guinea, and told him I had no more; then he demanded my Watch, and upon my assuring him I had none, he left me, and went to Mr. Hill; I saw Mr. Hill give him some Silver and a Key, the Key he desired the Prisoner to return. I know him perfectly well; his Usage made an Impression upon me: D—mn your Blood,——you're a dead Man,——I'll shoot you through the Head, &c. was the Language he made use of. He had another Wig on when I saw him in New Prison, yet I pick'd him out from all the People who were there. He had on when he robb'd us, a light natural Wig, and his Countenance made an Impression on my Mind.

Mr. Hill. On the 30th of June, I believe it was half an Hour after Six, Mr. Mills and I were riding out for the Air, and, to avoid the Dust, we turn'd into a back Lane, called the Devil's Lane; we had not got above ten Poles into the Lane, but I saw the Prisoner, and said to Mr. Mills,——That Man looks like a Rogue; he laugh'd at me: But when he came up, he presented a Pistol: 'twas bigger than a common Pistol, but not so big as a Horse-pistol. Mr. Mills was robb'd first, and I next: When he had got his Money, he demanded mine, and I gave him what Money I had, and a Key, and a Pocket-piece; I asked him to give me the Key again, he d—nned me, and gave it me; when he had got my Money, he demanded my Watch, but I had pluck'd the String of it into my Breeches, and told him I had none; so I did not lose that. When I saw him in New Prison, I knew him perfectly well, and so did Mr. Mills.

Prisoner. What Sort of a Horse did I ride?

Mr. Hill. I think it was a bay Horse. He had no Neck-cloth on, and his Coat was unbutton'd, which shew'd his red Waistcoat. When he came up to us, he pull'd his Pistol out of his Leather Breeches. He had grey Stockings on, and a light natural Wig,—no Curl at all in it,—such an one as People of his Profession (generally) wear. He was two Minutes in robbing Mr. Mills; I look'd him full in the Face, and the Sun shone bright, all the Time.

Prisoner. I think it hard to take People's Lives away, when they are innocent of the Matter. Guilty, Death.

90, 91. Thomas Davis and * Samuel Piper were indicted for stealing nine Silver Buckles, val. 35 s. the Goods of John Martin, Nov. 26. Both Guilty.

They were a second Time indicted for stealing a Silver Watch, val. 4 l. and a Silver Chain, val. 7 s. and 6 d. the Goods of Abraham Poteira, from his Person, Oct. 30.

Abraham Poteira. I lost my Watch last Lord Mayor's Day; it was pull'd out of my Pocket in the Street, over against the great Toy-Shop at the Corner of St. Paul's Church-yard; I don't know who did it, but I felt it go, and somebody push'd me at the same Time. When I got home, I told a Chair-woman that works in my Master's House the Story; she went home, and came again in the Afternoon, and inform'd me, that a Man who sold Rabbits in the Streets had seen a Watch, which was taken out of a Frenchman's Pocket, sold that Morning. The Constable has got it in his Possession.

Tho. Sutherland, Tom Davis, Piper and I, went out last Lord Mayor's Day, with a Design to get what we could in the Crowd, and met this Frenchman. We were all as close together as we could be, Piper took the Watch out of his Pocket, and drop'd it, and Tom Davis pick'd it up: The Gentleman miss'd it in a Minute, and turn'd about; which was the Reason that Piper dropp'd it, lest it should be taken upon him; but when Davis had taken it up, he went off, and we follow'd him, and overtook him. Then we went all together into Creek Lane, where we met John Miller, who offer'd us 25 s. for it at an Ale-house in the Lane, but we wanted more Money for it: At last we all went to the Angel in Holborn, and there we took his Money for it, and had about six Shillings a-piece in Money, beside Liquor. I can't say I saw Piper take it, but I saw Davis pick it up, and I took particular Notice of the Frenchman; he had a Livery Frock on, and the Watch had a String, and a flat Sort of a Chain to it. The Watch is in Court; but I can't take upon me to swear 'tis the same, because one Watch may be very much like another.

Poteira. This is the Watch I lost, and this Chain was hanging to it, and a blue String besides.

Piper. Where was the Money spent?

Sutherland. I can't tell exactly.

I

Piper.

* Piper was try'd in December Sessions 1737, with William Hardesty, for robbing Charles Clark on the High-way, and was acquitted. See Sessions Book, No. I. page 10.

Piper. From whence did we set out?

Sutherland. From *Westminster*. I had dropp'd ~~from~~ once, but I met with them again just by where the Gentlemen go down to take Water; where there was the greatest Crowd of People, there we were. *Piper* said, when he came out, that he would not go on a pitiful Story, — for Handkerchiefs, — but for Watches; he said, he would either get something, or nothing.

John Briggs, Constable. I took this Watch from *Mary Miller*; we heard of it by a Man who sells Rabbits in the Streets: He inform'd the Chair-woman, that a Watch which had been pick'd out of a *Frenchman's* Pocket, had been sold to one *Miller*, who lives by *Holywell-Mount*; so we got a Warrant to take up *Miller*, and we went to a publick House to see for him, but his Wife brought it to us, and said, she must have 45 s. for it, for he had paid 40 s. for it, and had spent a Crown upon the Persons he bought it of. I lent the Man a Guinea to make his Money up 45 s. that he might make her a Tender, and the Money was laid down upon the Table; then *Miller's* Wife ask'd me, if I thought her such a foolish B—ch, as to take the Money before Witness? So she beckon'd the *Frenchman* out into the Yard, and he followed her; when he came back, I ask'd him, whether he had got the Watch? he told me, no, and said, she insisted upon having the Money first; upon this he charged me with her, and while we were waiting for Justice *Candler's* coming home, a Woman advised her to deliver the Watch, and take no Money. I have seen this *Miller* (the Husband) since this Accident; I us'd often to see him before, — he's a Sort of Gambler, and sells Rabbits about the Streets. Both Guilty, Death.

92. *John Little* was indicted for stealing 12 Bushels of Malt, val. 20 s. the Goods of *John Freeman*, and three Hempen Sacks, val. 2 s. the Goods of *Henry Paice*, Dec. 26. Acquitted.

93, 94, 95. *Daniel Maceklough* and *John Fawkes*, were indicted for stealing three Twig-baskets of Apples, val. 10 s. the Goods of *William Turner*, Jan. 2. And,

George Deykin, for receiving the same, knowing them to be stoln, Jan. 22. *Maceklough* and *Fawkes*, Guilty; *Deykin* Acquitted.

96. *Margaret Deagor*, alias *Elizabeth Wilson*, was indicted, for stealing a Silk Gown, val. 10 s. a Holland Shift, 3 s. and a Silver Tea-spoon, val. 18 d. the Goods of *Thomas Marshal*, Dec. 20. Guilty.

97, 98. *Edward Apris* and *Francis Bradstreet*, were indicted for breaking and entering the

House of *John Bassam*, about the Hour of Three in the Night, and stealing thence 35 Pewter Plates, val. 36 s. a Quart Pewter Pot, val. 2 s. a Pint Pewter Pot, val. 12 d. a Pewter Tea-pot, val. 6 d. and a Linnen Table-cloth, val. 12 d. Dec. 18. Both Acquitted of Burglary, and Guilty of the Felony.

99. *John Marsland*, of *St Mary White-chappel*, was indicted, for that he, not having God before his Eyes, &c. on the 20th of September, in, and upon *Mary Marsland*, Spinster, did make an Assault, and her, against her Will, wickedly, unlawfully and feloniously, did carnally know and abuse, against the Form of the Statute, &c.

Mary Marsland. I am 13 Years old. I know the Nature of an Oath. About the 20th of September, I came out of a Service, in which I had been three Weeks, and having no where else to go, I came home. — He is my own Father; and about Ten o'Clock at Night I went to Bed, and fell asleep; he wak'd me, &c. &c. I cry'd out, and (ho' he put a Handkerchief to my Mouth, yet a Boy that lay in the next Room heard me; [the Girl gave a particular Account of the Fact, and mention'd the Circumstances requisite to the Proof thereof, then she proceeded] and he gave me the foul Disease. I got up about Seven o'Clock in the Morning, and did not tell what had happen'd to any one, till about three Weeks afterwards; I was taken sick about that Time, and could neither walk nor stand; my Uncle carry'd me to a Surgeon. I lay with him one Night; for in the Morning I went into *Mansel-street*, and after that I took a Lodging in the *Minories*, where I staid two or three Days; then I went to my Uncle's, and was taken sick at his House. I have two Uncles, my Mother's Brothers by Marriage, *John Decusherry*, and *John Waddiley*.

Prisoner. She has been prompted on to this by my Brothers-in-Law. I am as innocent as an Angel. I might turn in my Bed, and perhaps I might turn upon her, and hurt her; I had no Handkerchief in Bed with me.

Jury-man. I think she said, she grew so ill, she could neither go nor stand, and that in three Weeks it was found out; and I think she has said, that she went to *Mansel-street*, and from thence to the *Minories*, and from thence to her Uncle's; what became of her Father all this Time?

The Girl. I was carry'd by my Uncle to a Surgeon, and told him my Father did it. I can't tell when it was I told him, but 'twas about three Weeks after. I told an Aunt of mine be-fore

fore I told the Surgeon, and that was about three Weeks after the Thing was done. My Uncle then seek'd out for my Father, but he kept out of the Way.

Thomas Ranshaw. (Fifteen Years old.) About 11 o'Clock one Thursday Night (I don't remember the particular Day of the Month) I heard the Girl cry out,—don't Father, pray let me alone, &c. &c. I was at that time in Bed in the next Room, which is separated from the Prisoner's Room only by a little Partition. My Master keeps a Publick House in Petticoat-Lane, and the Prisoner lodged in the House. The next Morning, I told our Tom, the Hostler, of it, and nobody else, till it was found out; then I told the Girl's Uncle of it. The Girl's Mother and Father, and she, used to lie together, but she (the Mother) is in the Hospital now. She never lay with him alone but that one Night, neither before, nor afterwards.

The Girl. My Mother was in the Hospital then.

John Waddiley. When the Matter was made known to me, I endeavoured to bring him to Justice, and therefore took out a Warrant for him, on the 12th of October. The Fact was committed on Thursday was three Weeks before, and the first Information I had of it, was on the 10th of October, from a Chairman, that married my Wife's Sister. I thought it a heinous Crime, and complained to Mr. Justice Rickets, who did not care to grant me a Warrant for the Prisoner till the Surgeon had made Affidavit of the Child's Condition. And she was in a poor Condition indeed; I asked her, if any one had meddled with her beside her Father? She told me, No. She gave me an Account that she had lain with her Father and Mother-in-law several Times, at the Goat-Alcove, in Petticoat-Lane, but that this Night her Mother-in-law was absent, and she lay with only her Father. This Mother-in-law was in the Hospital for the Foul Disease, which was given her by the Prisoner, as he himself owned; and she is now turned out, as incurable. When she was first seized with the Distemper, it affected her Brain, and she ran mad, and was put into Bedlam. (The Witness here repeated the Account which the Child gave him of the Commission of the Fact) When she told me all this, I went to the House where the Prisoner lodged, and was informed by the Boy that heard the Girl complain that Night, (repeating the Words of her Complaint) I did my Endeavour to get her cured, and got her under Doctor Ward's Care, and I thought she had been

well, but she is relapsed, and I have again apply'd to him. Before I could take the Prisoner, I went to (I believe) thirty different Places where he had lodged, one Night, and two Nights, and at some three, and could not find him; but at last he was taken on the very Day that Buchanan the Pyrate, was hanged; and I told him, he had been to see a much honest Man than himself go to be hanged. He had absconded about two Months.

Prisoner. I was every Day about my Business in Rosemary-lane; and I was a Fortnight at Chatham.

Charles Rag, Surgeon, gave an Account of the bad Condition the Child was in, and repeated the Account she gave him of the Commission of the Fact; (The particular Circumstances were too shocking to be exposed; though unhappy Necessity call'd for a Declaration of Truth in the solemn Proceedings of Justice.) He added, That to save Expence, he had put her under the Famous Dr. Ward's Care.

Prisoner. If she has got the Foul Disease, I am innocent; for I am a clean Man; and if she is rotten with it, I am innocent as an Angel.

Hannah Dewsberry. The Girl came to me, about a Week before Michaelmas, ill; I asked her, what was the Matter with her? She said, she could not tell. She grew worse and worse, and at last could not stir. I asked her if some nasty Person, had not meddled with her? She said, No,—if it was so, it was her Father,—(The Witness mentioned the Child's Expression), and no one had meddled with her but him.

Mr. Rickets informed the Court, That the Girl's Uncle came to him, and complained of the Prisoner's having committed a Fact so horrible and unnatural, that he was cautious of taking the Evidence; and thought, (in such a strange Case) it was proper to have some Account from a reputable Surgeon, before any Thing farther was done. That the Surgeon (who had been examined in Court) was a Man of Reputation, and he upon Oath declared in what a Condition the Girl was. That she giving him pertinent and rational Answers to his Questions, he examin'd her likewise; and she told him the whole Story, in the same Manner she had repeated it in Court,—but with more unnatural Circumstances, [Which were mentioned; particularly, That it was what all Fathers did, &c.] *Mr. Rickets* added, That upon hearing all this, and the Evidence of the Boy, who heard the Girl's Complaints, &c. he granted a Warrant.

John

John Theobald, the Constable, gave an Account of his having been, with others, three Days in a Week, in Search for the Prisoner; and that tho' they frequently heard of him, yet they could not take him. But at last they found him in a House where the People deny'd him, and he had lock'd himself up; That the Prisoner deny'd the Fact when he was taken, and said he only had — &c &c.

Prisoner. When I was taken, I could have escaped if I had pleased, and as to my being locked up — I was not. And as to this Fact, I am as innocent as the Angels in Heaven, and if I die, I die innocent.

William Sparks. I keep a Publick House in *Petticoat-lane*: The Prisoner has used my House these two or three Years. I never saw any Thing unhandsome by him.

Peter Field. I have known him some Years; I never saw but he was a civil Man. I have a youngish Wife myself, and I never observed him to touch her.

The Jury found him Guilty. *Death.*

100. *Campbell Connor* was indicted for stealing seven Yards of check'd Linen, value 10 s. 6 d. and three Holland Frocks, value 7 s. the Goods of *Mary Loader*, Jan. 16. Guilty.

101. *James Green* was indicted for stealing a Pair of Linen Sheets, value 8 s. a Pair of Harateen Curtains, 10 s. a Feather Pillow, value 2 s. and a Pillowbear, value 1 s. the Goods of *Mary Ings*, Oct. 12.

An Affidavit having been read in the Court, That the Prosecutors, *Mary Ings*, and *Mary Brown*, had been served with Notice of the Prisoner's Surrender for Trial, They were called, and not appearing, the Prisoner was acquitted.

102. 103. 104. *Thomas Davis*, *Thomas the Gardiner*, and *James Newbury*, were indicted for stealing a Burdet Gown, value 5 s. a Cotton Gown, value 5 s. two Children's Shifts, 2 s. two Children's Petticoats, value 1 s. and several other Things, the Goods of *Sarah Atkins*, Dec. 23. *Davis*, Guilty; *Thomas the Gardiner* and *Newbury*, Acquitted.

105. *Walter Arnold* was indicted for stealing a Silver Spoon, value 5 s. the Goods of *John Keep*, jun. Jan. 3. Acquitted.

106. *Eleanor Gorman* was indicted for stealing a Tortois shell Snuff-Box, with Silver Rims,

value 10 s. a Shift, 2 s. a Silver Spoon, value 7 s. a Portugal-Piece of Gold, value 3 l. 12 s. two Pieces, ditto, value Thirty six Shillings each; seven Guineas, and twelve Shillings, in Money; the Property of *James Forrester*, Jan. 14. Guilty, Single Felony.

107. *Jesse Groom* was indicted for stealing two Guineas, and three half Guineas, the Money of *Maximilian Cooper*, Sept. 28.

Maximilian Cooper and *Grace Fitzgerald* being called, and not appearing, the Prisoner was Acquitted.

108. *Eleanor Welch* was indicted for stealing a Linen Shirt, value 7 s. 6 d. a Pair of Silver Buttons, value 9 d. a Silver Clasp, value 1 d. and other Things, the Goods of *Edmund Cotterel*, and an Apron, the Goods of *John Eaton*, Dec. 24. Guilty.

109. *Abraham Pearce* was indicted for stealing three Guineas, the Money of *John Carrol*, in the Stable of *Prosper Brown*, Jan. 14. Guilty, 4 s. 10 d.

110. *Joseph Shoff* was indicted for stealing a Leaden Party-Gutter, weight 38 lb. value 2 s. 6 d. the Goods of *Judith Kemp*, fixed to her Dwelling House, Jan. 12. Guilty.

111. * *Mary Gordon* was indicted for privately stealing a Silver Watch, value 4 l. from the Person of *John Walker*, Jan. 1.

Walker. I had been to see my Friends on the first Day of this Year, and as I was walking Home — down *Bishopsgate-street*, I met the Prisoner, and went into a House to drink with her. I staid but a very little while with her, and then, I said, — Well, *Mary*, we'll be for going. No, stay a little, (says she) I expect a young Woman to call upon me, and then we'll go together. By and by the other Woman came in, and I looked upon my Watch, and found 'twas past 10 o'Clock, so I told them I must go home, and put up my Watch into my Coat Pocket. Says the Prisoner immediately, — you need not put your Watch into your Coat Pocket, here's nobody will wrong you of it; lend it me, and we'll lay it down on the Table. A little after this, I took it up, and put it into my Pocket, and the Prisoner and I went down *Bishopsgate-street*, and the other Woman left us (I am sure I had it when I came out of the Tavern Door with her.)

Well;

* *Mary Gordon* was try'd last Sessions (with *Jane Bates*) for stealing a Guinea, and a Thirty six Shilling-piece from the Person of *John Seymour*, on the 10th of November last; and they were acquitted. See Sessions Book, N^o 14 p. 4.

Well; I went with her to her Lodging in *Catherine-wheel Alley*; — the Stairs come down into an Entry, and just at the Bottom of the Stairs she got hold of my Watch, — I got hold of the Chain — the Chain broke, and she ran up Stairs with the Watch. I called for the Watch (Watchmen) and Constable; the Constable came, and the Prisoner jumped out of a Window, one Story high, and fell down into a Cellar-window, and cut her Arm. Then she ran into the *Catherine-wheel Alehouse*: We followed her and took her; and she was sent that Night to the Compter. Next Morning I went to her, and persuaded her to let me have my Watch again; but I could not get it 'till she came to *Guildhall*; then she sent for it, and it was delivered up to the Constable there, and he has got it, and the Chain too. I was pretty much in Liquor, but not so far gone, but I could remember all I have said; I am sure the Prisoner is the Woman that took it from me.

Prisoner. I never saw him till I saw him in the Alehouse; and the Reason I jumped out of the Window was, because there was an Officer after me.

Joshua Pearson, Constable. I was sent for by one of the Watchmen to assist him. When I came, the Prosecutor charged me with the Prisoner, for robbing him of his Watch. I was afraid of a Rescue, so I ordered her to the Watch-house, and seeing the Man in Liquor, I bid him consider how he charged the Woman; but he gave me the same Account that he has now given, and was positive to the Woman. Then I asked him, if he could send to any one, who would speak to his Character, but no one coming, I sent them to the Compter together: The next Day I carry'd them before Sir *John Eyles*, at *Guildhall*, and there he said the Woman took the Watch from him in the Street. I told him, I was surprized to hear him say so, when he had told me last Night it was taken from him in the House. Why, says he, 'tis no Matter, — I have got the Watch.

Ann Smith. On New Year's Day at Night, about 8 or 9 o'Clock, she brought me home some Linen, (no one at all was with her) and she had not sat long in the Room, before she thought Bailiffs were coming to arrest her, and so, — she jumped out of the Window.

William Gordon. I am no Relation to the Prisoner, — only a Namesake. I was at this *Smith's* House, waiting for her Husband's coming in, that we might drink together. About 8 or 9 the Prisoner came in with Linen, and said

there an Hour or two, then somebody crying out Bayliffs! She jumped out of the Window, and the Alehouse People stopp'd her for breaking their Windows; after this the Man came in, and charged her with stealing his Watch. I am a Butcher; she washes my Linen sometimes, and I know no Harm of her.

John Baine. I cry Fish in the Street, and never heard any Hurt of her. Acquitted.

112, 113, 114. *William Lyford* was indicted for stealing 10 Pieces of Damask, val. 20 s. the Goods of *John Haines*, 11 Peices of Ducape, val. 12 s. the Goods of *Flora Shaw*, in the Shop of *John Bunting*, Jan. 12.

And *John Matthews* and *Elizabeth Busco* for receiving the same, knowing them to be stole.

Lyford Guilty 4 s. 10 d. *Matthews* and *Busco* Guilty.

115. *Patrick Casey* was indicted for stealing a Linnen Quilt, val. 3 s. the Goods of *Thomas Joel*, Jan. 16. Guilty.

116. *Thomas Satchez* was indicted for stealing seven Feet of small leaden Pipe, and a brass Cock fix'd thereto, val. 6 s. and two Feet of leaden Pipe and a brass Socket, val. 3 s. the Goods of *William Browning*, fix'd to the Dwelling-house of *William Maycock*, Dec. 27. Guilty.

117. *Thomas Lowcock* was indicted for stealing a Pair of Silver Buckles, val. 10 s. and Fourpence Halfpenny in Money, the Property of *Henry Walker*, Dec. 28.

The Prosecutors, *Henry Walker* and *Joseph Wright*, not appearing when call'd, the Court ordered their Recognizances to be estreated, and the Prisoner was discharged.

118. *John Bull* was indicted for stealing two Gros and a half of Thread Shirt-buttons, val. 40s. and 14 Guineas, the Property of *Edward Madgewick*, Jan. 13. Guilty.

119. *Mary Day*, alias *Richardson*, alias *Hutchinson*, was indicted for stealing nine Linnen Napkins, val. 6 s. and a Silver Spoon, val. 6 s. the Goods of *Thomas Vobe*, Dec. 8. Guilty.

120, 121. *Hugh Fenn* and *William White*, were indicted for stealing a Fustian Frock, val. 4 s. a Cotton Waist-coat, 2 s. 6 d. and 6 s. and 6 d. in Money, the Property of *Richard Marshall*, Dec. 26. Both Guilty.

122. *Henry Hill* was indicted for stealing eight Inches of leaden Pipe and a Brass Cock, val. 4 s. the Goods of *Francis Iall*, fix'd to his Dwelling-house, Jan. 11. Guilty.

123. *William Cooper*, alias *Pim*, was indicted for stealing three *Cheshire* Cheeses, the Goods

of James Hunt, and two *Cheshire Cheefes*, the Goods of John and Henry *Flutier*, Dec. 2. Acquitted.

124. III ——— of London, Gent. was indicted, for that he, on the 28th of *October*, &c. with Force and Arms, in the Parish of *St. Dunstan in the West*, did feloniously steal, &c. a certain Parchment Writing, purporting to be a Commission, bearing Date at *Westminster*, Aug. 21. in the tenth Year of the Reign of her late Majesty Queen Anne, directed to *Isaac Hawkins*, Esq; *Charles Brome*, *Henry Tate* and *Robert Abney*, empowering them, [according to the Direction of a certain Order, made by her Majesty, in the Court of Chancery, the 9th of *July*, before the Date of the said Writing, between *Philip Earl of Chesterfield*, and others, Tenants of the Manors of *Bradby* and *Hartshorn*, Complainants, and *John Cantrel*, and others, Defendants] to enter, walk through, and set out the Bounds of the same, and to cause Marks and Posts to be set up at the equal Expence of both Parties; and to certify how high the Defendants ought to keep the Water of the *Furnace Pond*, and to distinguish the same, by erecting Marks and Posts; and in the said Parchment Writing it was directed, that when they had so done, &c. they should acquaint her Majesty in Chancery with their Proceedings, under the Hands and Seals of two or more of the said Commissioners. And also,

One other Parchment Writing, purporting to be a Return made by the Commissioners, named in the above-said Commission, in which Parchment Writing it is set forth, that the said Commissioners had set out the Boundaries of the said Manors of *Bradby* and *Hartshorn*, and that the Waters of the *Furnace Pond*, should not exceed the Rails and Stoops, formerly set up, to divide the Waters from the Earl's Grounds, &c. And that this Parchment Writing, purporting to be a Commission, was, at the Time of stealing the same, of the Value of 2 s. And which other Parchment Writing, purporting to be a Return to the said Commission, was at the Time of stealing the same of the Value of 2 s. And were the Goods of our Sovereign Lord the King, against the Peace, &c.

The Council for the King took Notice, That the Prisoner had been a Hackney Writer, employ'd by some of the Sixty Clerks in the Six Clerks Office; and the late Master of the Rolls having a Design that some of the Records for their better Preservation should be sent to the Tower, gave Orders to the several six Clerks to get them sorted, that such as were old, and proper, might be sent to the Tower: That this was done about

June or *July* last, and required the Assistance of others beside the Clerks of the Office: That the Records of the Court of Chancery are kept in six Divisions, each belonging to one of the six Clerks, and that Mr. *Collins* in sorting those which were in his Division, had employ'd one *Hewit*, who was acquainted with the Prisoner; and that during the Time he was sorting the Records, the Prisoner often came into that Office, and into the Record-Room, and frequently made use of those Opportunities to take away a great Number of Records, Bills in Chancery, Answers, and Commissions issued out of Chancery to assign the Bounds of Manors, &c. That it might be wonder'd, what Use the Prisoner could make of these Records, but the Wonder would cease, when it should appear, that he had two Uses for them.

First, As all those Records made since the Commencement of the Stamp Act, have Stamps affix'd to them, the Prisoner had Skill in taking them off, and putting them upon new Parchments, and then selling them as original Stamps, to the Detriment of the Crown, &c.

That the next Use was, to dispose of the Parchments themselves, which he did to various Persons in various Employments: That in particular the Prisoner had sold a Quantity, after he had cut off the Stamps, to one *Axtell*, for a Shilling, among which the Commission and Return were found, for which he was indicted: That when the Officers of that Court, upon a Review of the Records, found many wanting, one *Lulham*, a Confederate with the Prisoner, made a Discovery before the Lord Chief Justice of the King's Bench, of his having at various Times received many of these Records, sold the Stamps, and dispos'd of the Parchment, to make *Glew*, *Drum-Heads*, and *Taylor's Measures*, &c. &c. That *Lulham*, the Confederate, being dead, his Information before the Lord Chief Justice would be produced, &c.

Mrs. ——— *Sterling*. *Curtis Lulham* was my Son; he died the 13th of last *November*. This (the Name at the Bottom of the Information) is his Hand-writing.

Mr. *Uriah Shewdall*. This is an Information sworn before the Lord Chief Justice *Lee*, by *Curtis Lulham*, in my Presence; I believe I saw him write his Name to it. It was return'd hither but Yesterday.

The Counsel for the Defendant, objected to the reading of *Lulham's* Information, and after the Point had been learnedly argu'd on both Sides, Mr. *Shewdall* went on in his Evidence.

Mr.

Mr. Shewdall. When the Prisoner was brought before his Lordship, by my Lord's Directions, I read over, I believe all the Parts of it in which he was charg'd. I believe, in the Course of his Examination, the whole was read, first one Part, then another; at one Time the whole was not read through, but during the Course of his Examination I believe the whole was read. *Lulham* was present when the Prisoner was examin'd, and it was read to the Prisoner, that he might know what he was charg'd with, and that he might give Answers in the Presence of *Lulham*, that my Lord might be the better able to judge of the Fact. The first Information of *Lulham* was on Oath; then there was a Warrant against the Prisoner, and he was brought before my Lord, and I believe the whole Information was read over to him in Parts.

Mr. Bennet. I was present all the Time the Prisoner was under Examination, and 'till he was committed. *Mr. Shewdall*, in the Presence of *Lulham*, read those Parts relating to the Prisoner; and at another Examination, the whole of it seemed to me to be read in one continued Course, without any Interruption at all. In so much, that *Mr. Curwens* thought it was not proper the whole should be discovered, because other Persons were concerned.

Mr. Curwens. I was present when the Prisoner was brought before the Lord Chief Justice; at first some Parts were read, but afterwards it was read again, and I believe nothing was omitted. The Information was read, which set forth, That *Curtis Lulham* had been acquainted with the Prisoner about three Months, and that he had frequently seen in his Lodgings a great Number of engrossed Parchments, which the Prisoner confessed, and he believed, were Records of Chancery, and were taken out of the Six Clerks Office. That the Examinant had seen the Prisoner take off the Stamps, and the Cypher and the Lead, and fix the Stamps on other Parchments, with Gum; and that once he saw a great Number of them, which he believed might amount to 150, as near as he could guess, &c. And that one *Lister* acquainted this Informant, that in offering one Stamp to Sale, the Person detected the Fraud; and that he had heard *Matthew Hewit*, late a Writer in the Office, say, he had sold a Stamp, and had paid the Prisoner 18d. for the same; six Pence whereof was afterwards spent, and that he was present at the Time of its being spent. And that the Informant had seen the Prisoner cut the Parchments long-ways, through the

Middle, telling him he sold them to Taylors for Measures, and that he had sold 5 or 6 lb. to one that makes Cloaths to the *Charter-house*, for 8d. That he had often seen the Prisoner pull out of his Waistcoat, several Parcels of these Parchments, which he had brought from the Six Clerks Office, and had often seen great Parcels of engrossed Parchment, hid under his Bed. that one time the Informant saw the Prisoner pack up a great Parcel, in a little Hand-basket, and deliver it to one *Curwen* to sell; and *Curwen* told the Informant, he sold it. And this Informant asking *Curwen*, if it would not prejudice any one? *Curwen* told him, — No; for they were going to the Tower, and would not be wanted. That on the 9th of *October*, the Informant went to the Prisoner's Lodging, and from thence they both went to the Record-Room where *Hewit* and *Cave* were sorting Records; from thence they returned to the Prisoner's Lodging, and the Informant saw the Prisoner pull out several Parchments, (which he believed to be Records) and put them under his Bed. And at another time he went with the Prisoner to the Six Clerks Office, about the Close of the Evening, and saw him go to a Seat near the Window, (a Seat under the Window) and heard him rattling the Parchments. And that afterwards, when they came home, he said he saw several small Parchments, out of which the Prisoner told him he could scratch the Names, and then use them for Common Law Writs.

Mr. Cave. I am an Agent in the Six Clerks Office; I have known the Prisoner about two or three Years. *Mr. Collins*, one of the Six Clerks, employ'd me to sort the Records, in the long Vacation; He has a particular Part of them under his Care, and I was employ'd to sort those which were in his Office. I began in *August*, and left off in *September*. I have observed the Prisoner to come several times, into the Office, to speak to *Hewit*, who was a Person employ'd with me in sorting the Records. Sometimes he staid a longer, and sometimes a shorter Time; he might sometimes stay half an Hour. I never observed him to meddle with any Thing, but I did not keep my Eye on him, because I did not suspect him. I believe he might be there about seven or eight times while we were thus employed. Sometimes he came alone; sometimes *Lulham* came with him, and sometimes his (the Prisoner's) Brother; and sometimes one *Conrade*. He might very easily steal some of the Records, for there was another Room, where Duplications, &c. lay, and

and through which he must pass to come to the inner Room.

Mr. Bennet. Upon *Lulham's* Information I took up the Prisoner; I found him in his Lodging in *Charterhouse-lane*, and found several Parchments, cut and mangled, in a Drawer, upon which I set the initial Letters of my Name.

—*Axtel*, a Dealer in Books in *Moorfields*, gave an Account, that about the latter End of *August*, or Beginning of *September*, the Prisoner came to his Stall, and asked him, if he would buy any Parchment? That he went with him to his Lodgings in *Charterhouse-lane*, where the Prisoner shewed him four Bundles, (without any Stamps) which weighed 12 lb. and for which he paid him a Shilling, and the Beer they drank made the Price come to 17 d. That besides this, there were some Pieces in the Bottom of a Basket, which the Prisoner gave the Witness into the Bargain, and which were delivered afterwards to *Lulham* and one of *Mr. Cruwys's* Clerks, at the *Castle* near *Moorgate*, but the large Pieces the Witness's Wife sold at a *Turner's Shop*, to make Drum-heads. The smaller Pieces, he intended to have sold to make Glew, had they not been called for. That these small Pieces he deliver'd, were sealed up at the *Castle*, before they were carry'd to *Mr. Cruwys*. And the Witness verily believed they were the same Pieces, which he had from the Prisoner.

Mr. Henry Baxter deposed, That he was with *Lulham* when he went to enquire of *Axtel* for the Parchments. That *Axtel* informed them, his Wife had sold them, but that he had some little Bits at his Lodging, unfold, which he fetched; and told them, he believed they were the same he bought of the Prisoner. That they were sealed up, with a Seal of the Man of the House, and that *Axtel* took the Impression of the same in his Pocket. And, that in his Opinion it was impossible for *Lulham* to slip any Parchments in among these Pieces unobserved. That these Pieces, so sealed up, were carry'd to *Mr. Cruwys's*, and after the Seals had been compared with the Impression, the Bundle was opened.

Mr. Cruwys deposed, That after *Axtel* had satisfied himself that the Seals were right, he lock'd up the Parcel, and it was never out of his Custody, till it was opened at the Six Clerks Office, where the Pieces were put together, and *Axtel* signed them, the first time (he thought) they were open'd.

The Pieces were put together, and read; they all appeared to be mark'd by *Axtel*, except one Piece, and the Endorsement on the Back was, *Dom. Chesterfield contra Cantrell*; it was proved to be the Return to the Commission, and was signed by *Hawkins* and *Brome*, two of the Commissioners; *Mr. Baily* swore he believed the Names to have been of their own Hand-writing.

Mr. Baily, *Mr. Bateman*, and *Mr. Cheek*, prov'd that such Proceedings had been in the Court of Chancery.

A Person employ'd in the Office by *Mr. Collins*, deposed, That he had search'd among the Records for the Commission in the Case of the Earl of *Chesterfield* and Defendants, and it could not be found, nor the Return thereto; that he found it mentioned in the List of those under *Mr. Collins* Custody, and, tho' he had search'd all the Rooms, he could not find it.

DEFENCE.

John Conrade. I knew *Curtis Lulham* about five Months; he told me he was an Attorney; but I found out that he was a Packer, or Cloth-Drawer. I was with him at the Six Clerks Office about the Beginning of last *September*; he wanted to speak with *Mr. Hewit*, and went into the Record-Room, and took up a Bundle of Parchment; then he cut the String they were ty'd with, and was going to put them into his Pocket, but *Hewit* coming in, he threw them down again. He lodged with the Prisoner in the same Room, and I once saw him bring in a Bundle of Parchment in a Hand-basket, and he d-mn'd my Eyes out, and bid me feel the Weight of them. I took them in my Hands, and judg'd there might be about 10 or 11 lb. of them. Then he open'd them, and cut off some Slips; some he threw into the Grate, and some he laid aside; the rest he put into the Basket again, and that was put under the Bed. I did not observe whether there was any thing on the Slips he put by.

Counc. Did you never receive any Stamps from the Prisoner?

Conrade. What I received from him, *Lulham* gave him to give me: He ow'd me Money, and gave me three Stamps to sell. I was taken up on this Account, and was confined a Fortnight.

Mary Crosby. *Lulham* lodged with the Prisoner in the same House. I never saw any Parchments there, but once, and that was a great while ago, and no body was then in the Room but he and my Daughter. The Night the Prisoner was sent

sent to *Newgate*, he came up Stairs with a Candel in his Hand, and said he was sorry for what he had done, — he had wrong'd the Prisoner, and was so vex'd, he knew not what to do: I believe, (says he) it will break my Heart, and fell a-crying.

Counc. Do you know of the selling any Parchment for the Prisoner?

Crosby. I never saw any but once.

Counc. Did you never receive any from *Sarah Dickenfon*?

Crosby. Yes; my little Grand-daughter brought them to me, and desired me to carry them to Mr. *Midgley*, a Taylor; he gave me 7 d. or 8 d. and I gave the Money to the Girl.

Lambert Greenaway, John Dell, John Hartshorn, Christopher Coats, Edward Clark, and John King, spoke to the Prisoner's Character, and said they never heard any Harm of him before. Some of them gave an Account of the Prisoner's having been put to some Inconveniencies by disoblising his Father, who, notwithstanding that, allowed him something Weekly or Monthly, for his Support.

— *Sterling*, (*Lulham's* Mother) gave an Account of her having lost several Things out of her Room, and that she had seen her Knives, Forks, a Fishing-Rod, and several things she had lost, in the Prisoner's Room. That about a Fortnight or three Weeks after *Michelmas* last, she went to his Room, to get her Son to write her three Bills, to stick upon three empty Houses, and saw the Prisoner taking off the Stamps from some Parchments; that he (the Prisoner) asked her to dispose of some Parchments for him, telling her he had 30 or 40 lb. wt. to dispose of, at 2 d. or 3 d. a Pound. That, her Son being ill, she waited till the Prisoner had taken off a Stamp, and then he wrote the Bills; and she seeing a great many Stamps upon Slips of Parchment in a Drawer, the Prisoner told her, he had a great many more. The Witness added, That as to his general Character, she had heard People say he was a great Rogue, and they wondered she would let her Son keep him Company.

Prisoner. Ask her, if she did not come to me for Relief, when the Execution was in her House?

Sterling. No.

Matthew Hewit. I was concerned with Mr. *Cave* in sorting the Records. The Prisoner has come to me, to the Office, to ask me a Question,

perhaps, upon my own Affairs; *Lulham* sent me a Letter the Day the Execution was in her House, to let me know it; and as the Prisoner was out of the Way, he desired me to come. And when we came home together, the Prisoner said that *Sterling* had given him the Fishing-Rod for his Trouble. I have known him from a Child, and never knew him Guilty of any such Thing. But *Lulham* I have met in the Street with Parchments in his Handkerchief; tho' I think it impossible for a Man to take 10 or 12 lb. of Parchment out of the Office, without being seen.

Counc. Did the Prisoner never desire you to sell any Stamps for him?

Hewit. He has. He brought me a Replication three or four Months ago, I can't tell exactly the Time, and I went about the Office, to see if any Body wanted one: But that which I endeavour'd to sell for him was a true Stamp, and the Impression was through the Parchment. I could have sold it for him if it had not been very dirty.

The Jury found him Guilty of taking a Parchment Writing, val. 1 d. from the Records in the Court of Chancery, purporting to be a Commission under the Broad Seal, and another Parchment Writing annex'd thereto, val. 1 d. purporting to be the Return to the said Commission.

He was a 2d Time indicted for stealing two other Parchment Writings from the Records of Chancery, val. 2 s. and was found Guilty as above, val. 1 d. each.

125. *Thomas Vincent* was indicted for stealing sixteen Ounces of Silver, val. 4 l. and two Silver Tobacco-stoppers, val. 6 s. the Goods of *David Field*, in his Dwelling house, Dec. 16. Guilty, 39 s.

126. *John Martin* was indicted for stealing two *Portugal* Pieces of Gold, val: 3 l. 12 s. six Guineas and six Shillings in Money, the Property of *Thomas Cavenagh*, in his Dwelling-house, Jan. 5. Acquitted.

127. *James Chetwood* was indicted for stealing fifteen Brass Branches for holding Candles, twenty-seven Ornaments for ditto, two Brass Nossels, nine Brass Handle Plates for Drawers, two Brass Handles for Drawers, twenty two Brass Roses for ditto, and several other Pieces of Brass Work, the Goods of *William Alexander* and *Robert Combes*, Dec. 15. Acquitted.

128. *Joseph Hopegood* was indicted for stealing fifteen Brass Branches for holding Candles, three Brass Balls, two Chimney Hooks, two Brass
L Knobs,

Krebs, four Brass Backs, four Brass Sconces, eight Brass Scutcheons, and several other Pieces of Brass Work, the Goods of *William Alexander* and *Robert Combes*, Dec. 15. Acquitted.

129. *Ann Clapham* was indicted for stealing two Gold Rings, val. 36 s. the Goods of *Samuel Ford*, Octo. 18. Acquitted.

130. *Mary Parson* was indicted for stealing three Ells of Holland, val. 27 s. a Holland Shirt, val. 10 s. and two Silk Handkerchiefs, val. 8 s. the Goods of *Richard Coote*, Esq; in the Dwelling-house of *Rowland Allen*, Dec. 21. Guilty, 39 s.

131. *Mannah Wilson* was indicted for stealing a Silver Mug, val. 40 s. the Goods of *Matthew Dixon*, in his Dwelling-house, Jan. 12. Acquitted.

132. *William Hipwell junior* was indicted for stealing a Pair of Thread Stockings, val. 9 d. and a Hat, val. 3 s. the Goods of *Jeremiah Keene*; and a Drugget Coat, val. 5 s. and 4 s. 6 d. in Money, the Goods of *Simon Rodgers*; and an Iron Key, val. 2 d. the Goods of *Simon Hipwell*, Jan. 15. Guilty.

133. *Elizabeth Wilmott* was indicted for stealing six Linnen Handkerchiefs, val. 6 s. and twenty-three Yards of Cambrick, val. 33 s. the Goods of *Rebecca Plank*, Dec. 18. Acquitted.

134. *Mary Peacock* was indicted for stealing a Silver Watch, and Silver Chain and Seal, val. 5 l. 5 s. the Goods of *Thomas Noble*, from the Person of *Benjamin Matthews*, Dec. 11. The Jury acquitted the Prisoner, and the Court granted her a Copy of the Indictment.

135. *Charles Harris* was indicted for stealing a Man's Hat, val. 2 s. 6 d. from the Person of *Richard Gilbert*, Jan. 6. Acquitted.

136. *Jo n Ferman* was indicted for stealing twelve Ounces of Silver, val. 3 l. the Goods of — *Pisney* and *William Jackson*, in the Dwelling-house of *Nathan Dell*, Jan. 5. Guilty, 4 s. 10 d.

137. *William Burch* was indicted for stealing a Cloth Riding-coat, val. 8 s. a close-body'd Coat, val. 8 s. and a Linnen Waistcoat, val. 10 s. the Goods of *Edward Thorne*; a Pair of Scarlet Women's Stockings, val. 5 s. the Goods of *John Badcock*; and several other Goods, the Property of divers Persons, in the Dwelling-house of *Edward Thorne*, Octo. 28. Guilty, 4 s. 10 d.

138. *Dwen Wilson* was indicted for stealing half a Hundred of Malaga Raisins, val. 7 s. the Goods of *John Hillyard*, Jan. 13. Guilty.

139. *Ann Holland* was indicted for stealing twenty Guineas and 3 l. 3 s. in Money, two Pair of Sheets, val. 10 s. a Dimitty Petticoat, val. 7 s. the Goods of *Thomas Wright*; a Silver Watch, val. 6 l. a Silver Chain, val. 6 s. the Goods of *William Jones*, in the Dwelling-house of *Thomas Wright*, Dec. 6.

Mary Wright. The Prisoner was my Servant; On the 6th of December I went to my Mantua-maker in the Evening, and left the Prisoner at home to take Care of the House, and clean out my Room: When I came back, I found the Street-door open; so I call'd Nanny! Nanny! bring a Candle! but no body answering, I lit a Candle, and ran up Stairs, and found my Chest of Drawers broke open, and all the Things which are mentioned in the Indictment were taken out of the Drawers, and out of another Room. I saw no more of the Prisoner till the 28th of December; then a Person that knew me, stopp'd her in *Drury-Lane*, and sent for me; we carried her before Mr. De Veil, and there she told me the Watch was stole away from her, by her Uncle, when she was in Liquor, and some of the Money she had spent at *Rocheester*, the rest she had bought fine Cloaths with, which her Maid had run away with, and pawn'd she knew not where; she own'd every Thing but the Sheets.

Elizabeth Harrison who walk'd out with *Wright* to the Mantua-maker's, confirm'd great Part of the above Evidence.

Lydia Gardiner heard where the Prisoner was, and was the Occasion of her being taken. She likewise spoke to the Prisoner's Confession.

Prisoner. She keeps a Bawdy-house, and has said, she would swear my Life away.

William Freshwater. I am a Butcher in *Newgate-market*. I know nothing of the Prisoner; but I know the Prosecutor to be a Street-walker, she plies in *Fleet street*, *Temple-Bar* and *Ludgate-Hill*, and goes by the Name of *Moll Fenkins*. I have been at her House on *Ludgate-Hill* myself, within these seven Years. These Creatures get a poor raw Girl into their Houses, and then if they won't come to their Terms, they think it no more Harm to swear their Lives away, than I do to kill a Sheep. She lives up a little Court on the left Hand, in a Turning between the *Cock Alehouse* and the *Crown Tavern* on *Ludgate-Hill*. I shall see her (ten to one else) as I go home To-night.

Jonathan Keate. The Prosecutor keeps a notorious Bawdy-house, and is a Woman of a notorious Character.

Wright. I have now and then an Acquaintance comes to see me, — but as for walking the Street, there's nothing in it.

Fury. Did the Prisoner live with you as a Servant — for Wages?

Wright. She was at that Time a hired Servant, but before that she was a Sort of a Lodger in my House; I was to give her Cloaths, — not much Money, about 50 s. a Year.

Thomas Jones. That Woman (*Wright*) has offer'd to pick me up ten or fifteen Times, as I have pass'd from Fleet-ditch to Salisbury Court; she has offer'd to go with me to a Tavern a great many Times. I think 'tis just she should have the Character she deserves. I never drank with the Creature in my Life. Acquitted.

140. *Catherine Norton* was indicted for wilful and corrupt Perjury, in a Deposition sworn by her before Sir John Barnard, Otho. 2.

Mr. Windcup gave an Account, that one *Deavis* an Excise Officer brought the Information to him, and the Prisoner own'd she had sign'd the Deposition at the Foot thereof, and that she knew the Contents to be in all Parts just and true, &c. &c. upon which the Oath was administer'd to her, and she kiss'd the Book, &c.

The Affidavit. *Catherine Norton* of the Parish of St. Mary le Savoy maketh Oath, that *Mary Tixon* [*Tidcomb*] on the 30th of September did, in a Room of a House, situate in the Parish of St. Martin Vintry, sell unto this Deponent two Glasses of a Spirituous Liquor call'd Geneva, for which she paid the said *Tixon* [*Tidcomb*] 1. d. &c.

Mary Armstrong depos'd, that she had known Mrs. *Tidcomb* three Quarters of a Year: That she liv'd in the House, and was coming down Stairs when the Prisoner and another Woman came into the Shop; that she staid below till they went out, and they had nothing but a Penn'orth of Apples, and a Ha'p'orth of Walnuts; and that this was about Six or Seven o'Clock in the Evening: That she never knew Mrs. *Tidcomb* had, while she knew her, dealt in any Spirituous Liquors.

Jane Rule had known Mrs. *Tidcomb* half a Year, and was in the Shop when the Prisoner was serv'd with Apples, and her Companion with Walnuts; she saw them go out, and tho' she had

been at the Shop five or six Times a Day, never saw a Drop of Spirituous Liquors in her Life.

Catherine Hunt, a Lodger in the House, gave much the same Account with Mrs. *Armstrong*.

Margaret Harris (for the Prisoner) depos'd, that the Prisoner ask'd her that Evening to go in at *Tidcomb's* with her for a Dram; but as she knew the Prisoner to be one that laid Informations against People, she did not care to be seen; so she stood at the Door, and saw the Prisoner and one Mrs. *Dyer* serv'd with two Glasses of some Liquor, which the Prisoner paid for: That this was about Eight or Nine o'Clock, and a Girl at the same time was sleeping, with her Head upon the Compter; and when she came out, she went homeward with the Prisoner, toward *Whitecross-street*.

Mary Tarry said she was with *Harris* at the same time; that it wanted Quarter of an Hour of 9 o'Clock: She saw Mrs. *Tidcomb* fetch a Quart Bottle from the Back Room and pour out two Glasses, which were drank by *Dyer* and the Prisoner, and the Prisoner paid for them, while *Harris* and she stood at a little Distance from the Door.

Hugh Williams swore he found a Bottle with Brandy, and another with Geneva in a Back-Room after Mrs. *Tidcomb* had deny'd her having any in the House; and that he found them upon the Prisoner's ordering him to look in the Back-Room, and then Mrs. *Tidcomb* said, they were for her own Drinking. The Witness said he had been concerned in giving Informations himself.

Robert Jackson, the Constable that served the Warrant, saw the former Witness take up one Bottle in the Back-Kitchen, and heard him say — here's Gin or something, but he could not tell whether *Williams* tasted it or not; or indeed whether there was any thing in it.

Thomas Lloyd swore, Mrs. *Tidcomb* declar'd (when they went to take her) that she had sold no Drams since the Commencement of the Act; but that *Williams* upon the Prisoner's Direction, went backward and took up a Quart Bottle with Liquor which he tasted; that he afterwards took up a Pint Bottle and said, one was Brandy, and the other Gin; and the Prosecutor said, they were for her own Drinking. This Witness stood all the Time at the Kitchen Door. Acquitted.

She was a second Time indicted for a Conspiracy against the Prosecutor, and was acquitted.

141. John Hanna was indicted for wilful and corrupt Perjury in his Evidence given (at the last Sessions of Admiralty) against John Longdon and John Grant.

Mr. Samuel Farrant was called, who deposed, that the Prisoner on that Trial gave in Evidence as follows, viz. * That he was on board the *Happy Entrance*, whereof John Longdon was Master. That he was at the Helm, steering the Ship on the *Holderness* Coast, Jan. 5th, about eight in the Evening, and seeing a Ship in the Way of his Steerage at Anchor, he asked Longdon, whether he might go to the Leeward. Longdon ordered him to go to the Windward. He said, if he went to the Windward, he should run her down, and Longdon replied he would knock him down if he did not go to the Windward, and that the People belonging to the Vessel, called out to them to keep clear. And that one John Wiley, the Mate ordered the Sails aback; Longdon said he would knock them down if they put their Sails aback, for they might cut their Cable; and they ran on Board her, and made a Hole in her Larboard Bow, by which in three Minutes she sunk. (That) the People on Board her, cry'd out to save them; Longdon told them, if there was a hundred they should all die. He said, there was a tall Man, with short black Hair attempted to save himself by climbing up the Side of Longdon's Vessel on the Gummel, and he begged on Longdon, as he had run them down, yet (that) he would save their Lives, and told him that the Vessel belonged to *Horselydown*; Longdon said no, if there was a hundred of them they should all die, and called to Grant to help him; saying, That there should not one of them come on Board the Ship. Grant on that, took the Man by the Shoulders, and held him; and Longdon took a Knife out of his Pocket, and ripped him up, on the right Side, and then they shoved him into the Sea, between the Bows of the Ships; (And that) they saw no other Ship but that which they run down.

Mr. Farrant produced a Paper of Minutes, which he said, was a true Copy of the original.

Minutes, taken by him in Court upon Longdon's Trial. But there appearing several Variations between Mr. Farrant's Account of the Prisoner's Evidence, and that assigned in the Indictment, the Prisoner was acquitted. The Council moved for Leave to bring another Indictment against him next Sessions, which was granted.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 9.

Elizabeth Reynolds, Martha London, John Adamson, William Child, James James, Thomas Easter, John Marsland, Thomas Davis, Samuel Piper.

BURNT in the HAND, 3.

Thomas Vincent, William Rogers, Mary May.

TRANSPORTATION, 35.

John Fletcher, Abraham Benbrook, Elizabeth Stuart, Thomas Carter, Samuel Duncomb, Daniel Maccklough, John Fawkes, John Howard, Samuel Clarke, James Lawless, Ann Longmore, Elizabeth Lemacks, Margaret Segoe, Edward Ayris, Thomas Bradstreet, Mary Parson, Campbell Conner, Thomas Davis, Ellenor Gorman, Ellenor Welch, William Hipwell, Abraham Pearce, Joseph Ghost, William Lyford, John Matthews, Elizabeth Busco, Henry Hill, Patrick Casey, Thomas Satcher, John Bull, John Ferman, Hugh Fenn, William White, William Burch, Owen Wilson.

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Wednesday the 21st of February next.

* See the Trial, printed for J. Roberts in Warwick Lane.

THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,

FOR THE
CITY of LONDON,

AND
County of MIDDLESEX,
ON

WEDNESDAY the 21st, THURSDAY the 22^d, FRIDAY the 23^d,
and SATURDAY the 24th, of *February*.

In the 12th Year of His MAJESTY's Reign. 1739

BEING THE
Third SESSIONS in the MAYORALTY
OF THE

Right Honourable *Micajah Perry*, Esquire,
LORD-MAYOR of the CITY of LONDON.

NUMBER III.

L O N D O N:

Printed and Sold by T. COOPER, at the *Globe* in *Pater-noster Row*.

[*Price* SIX-PENCE.]

THE PROCEEDINGS

Sessions of the Peace, and Oyer and Terminer, For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayor of the City of London; Mr. Justice PAGE, Mr. Baron CARTER, Mr. Justice FORTESCUE, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer of the City of London, and Justices of Goal Delivery of Newgate, holden for the said City and County of Middlesex.

London Jury.

Thomas Gregg,
John Phillibrown,
John Haines,
Samuel Champion,
Peter Blunt,
Richard Hawkins,
Moses Alnard,
George Randall,
John Worral,
Richard Day,
Arthur Loveledge,
Thomas Ballard.

Middlesex Jury.

Philip Gbandler,
John Dickens,
William Lockwood,
William Singleton,
John Eades,
Isaac Hancock,
Thomas Harrison,
John Sheppard,
Richard Oakman,
William Cholmondley,
Thomas Keate,
Thomas Morris.

142. Elizabeth Cate, of St. Magnus the Martyr, was indicted for stealing a Silver Spoon, val. 10s. the Goods of William White, Feb. 9.

It appeared, That the Prisoner carried the Spoon to Jane Bunn, in order to pawn it. Bunn suspecting it was not honestly come by, sent her

Servant, with the Spoon and the Prisoner, to Mr. White, who immediately charged her with the Robbery. Guilty, 10 d.

143. William Udal* was indicted for assaulting Thomas Thorn on the King's Highway, putting him in Fear, &c. taking from him a Silver Watch with a Tortois-shell Case, value 40s. a Hat, value 2s. a Brass Seal, value 2 d. and four Shillings in Money, Dec. 26.

William Thorn. I was robbed of my Watch, and a Brass Seal, and my Hat, and four Shillings, or more at Holloway; but I can't swear to the Prisoner, for 'twas Night; I was going from Holloway to Highgate, when they were taken from me. The Watch was found at a Pawn-Broker's in Shoe-Lane. This is the Watch I then lost.

Richard Wornel. I took Mann [the Evidence] and Udal. Mann told me they had robbed two Men about Highgate, and told me where this Watch was pawned. I found out the Prosecutor, and went with him to the Pawnbroker's, where he saw the Watch and claimed it.

Thomas Mann. The Day after Christmas Day the Prisoner and I were going to the Castle at Holloway; as we went along, we called at a House and had some Pork Stakes. We returned about Seven or Eight o'Clock, and robbed a Man of a Hat; Udal took the Man's Watch out of his Pocket, and some Money. He was the Man that robbed the Prosecutor, and He carry'd the Things Home to his Lodgings, at Mr. Morris's.

* Udal was admitted an Evidence against John Slade and Henry Fluellin, last September Sessions, for a Street Robbery, in which he was concerned with them. See Sessions Books, N^o. 7. p. 122.

He was try'd the same Sessions for stealing a Hat, from William Young in his Dwelling-House, and convicted; but received corporal Punishment.

In *White-Lyon-Court*; and next Morning he and I carried it to a Pawnbroker's, in *Shoe-Lane*, and he pawned it for ten Shillings, while I stood at the Door. He brought out ten Shillings, and gave me five.

Richard Wornel. When I took *Mann* and *Udal*, *Mann* was carried to one House, and *Udal* to another. *Mann* desired to be admitted an Evidence, and it was granted. He gave me Directions where the Watch was pawned for ten Shillings. I went to the Pawnbroker's, and demanded the Watch, telling the Man it was stole. He refused to produce it, upon which I sent for *Mr. Thorn*, and he described it, and said it was in a Tortois-shell Case, and a Piece was broke out; then the Pawnbroker produced it, and *Thorn* immediately owned it; but we could not have it, unless we paid twelve Shillings, and twelve Shillings I was obliged to pay for it. The Prisoner desired to be admitted an Evidence, and said he could hang three or four; but, as he had been admitted an Evidence several Times before, his Request was deny'd. He wanted to have been made an Evidence against *Mann*, and said he could put three or four more into his Information. He did not deny the Fact at all.

Mann. The Prisoner would have killed the Man, for fear of being discovered, had it not been for me.

Thorn. Yes; He threatened me; — 'twas upon the long Causeway.

Udal. The Evidence and I were Debtors in the *Marshalsea Prison*; we broke out and made our Escape. He has done this for Lucre, — for the Sake of the Reward, that he may clear himself of his Debt.

Mann. *Udal* broke open the Goal himself, and let me out with him.

The Pawnbroker, *William Key*, was sent for, and brought into Court. He urged that he was but a Servant to *Mr. Crockat*. *Crockat* appeared, and was told, That his Profession was a most scandalous one; That Pawnbrokers were the Encouragers of Felons, and it would be well if they would be warned to get into honest Callings and Employments. *Crockat* and another Person were bound for *Key's* good Behaviour and Appearance next Sessions.

He was a second Time indicted for assaulting *John Bradford* on the King's Highway, putting him in Fear, &c, taking from him a Hat, value 1 s. a Drugget Coat, value 5 s. and five Shillings in Money, Dec. 26,

John Bradford I was going the 26th of December from London to *Finchley*, and between the Half-

way House and Upper Holloway, I was met by two Men. One of them ran against me and jumbled hard upon me, as if he was fuddled. I pushed him away, and bid him stand up. He came upon me again, and said — you're the Man, — you're the Man. Then they both attacked me, and robbed me of my Hat, Coat, and about Five Pence in Money. The Prisoner is very much like one of the Men. When the Prisoners were taken, *Mann* [the Evidence] told me where I might find my Coat.

Mann. As the Prisoner and I were going to Holloway, we met this Man; he attacked him, and said, — d — mn your Eyes, if you don't pull your Coat off, I'll kill you. I said, — no, don't hurt him. G — d d — mn you (says the Prisoner) I'll kill him and you too, and he threw up his Hanger, and was going to chop the Man down. We pawned the Coat for three Shillings.

Bradford. The Pawnbroker said he had lent four upon it.

Mann. Then he cheated me of a Shilling.

Bradford. I found my Watch according to the Accomplice's Direction.

The Evidence was cautioned in a pathetick Manner, against following those Courses, which would inevitably bring him to the same melancholy End the Prisoner was like to come to.

He was found Guilty on both Indictments. Death.

144, 145. *John Maud* and *John Mitchell* were indicted for stealing a Silver Tankard, value 5 l. the Goods of *John Starkey*, Nov. 9. And,

146. *John Brady* for receiving the same, knowing it to be stole, Nov. 10.

John Fife. One Saturday in the Afternoon, the 4th or 5th of November, I met *Maud* and *Mitchel*, in *St. Clements Church Yard*, and they asked me to go along with them; so we went to *Covent-Garden*, and from thence to *Leicester-Fields*, *Piccadilly*, and *Broad-street*, near *Carnaby Market*. In *Broad-street* we saw *Mr. Starkey's* Door open. *Maud* went into the Entry; turned the Brass Nob of the Parlour Door, and went in, and brought out a Tankard in his Apron. 'Twas about Dusk, between four and five o'Clock. I stood at the Door, and *Maud* came running out with the Tankard, wrapped up in his Blew Apron; then we all run away to *Mary Lambert's* in *Parker's Lane*; she called down *John Fletcher*, who lodged in her House, and she asked him to sell it for us. He said he would sell it next Morning; and accordingly, the next Morning

we went with it to the Prisoner *Brady*; but *Brady* was unwilling to buy it while *We* were there. However, I saw the Bargain made; *Brady* bid two Guineas for it; we would not take it, and, at last he gave us three Pounds. The Money was paid to *Fletcher*, and his Wife had eighteen Shillings of it.

Mr. Starkey. I lost a Tankard, but what became of it, I don't know.

Fife. We stole it about the 4th or 5th of November last.

Mr. Starkey. 'Twas about that Time I lost it: The Value of it was about six or seven Pounds. I never have had it again, tho' I advertised it, and how this Discovery come to be made, I know not.

John Taylor. I have known *Maud* five or six Years. His Mother brought him up carefully, and I never heard any Harm of him, but believe he was tempted to do this Thing by *Fife*, when they met in *St. Clement's Church-Yard*. All Acquitted.

147, 148. *James Lawlor*, alias *Lawley*, and *James Leonard*, were indicted for assaulting *George Lines* on the King's Highway, putting him in Fear, and taking from him a Hat, value 21 s. a Peruke, value 3 l. 3 s. and a Gun, value 25 s. Dec. 24.

George Lines. On Sunday the 24th of December, between ten and eleven at Night, I was coming from the *Castle Tavern*, in *Denmark street*, with a Gun upon my Shoulder, and *Lawlor* stopped me, and asked me, what I had to do with that Gun. I can't be so positive to the other Prisoner as I am to him, but I was struck at, and my Hat and Wig were taken away, and then they knocked me down. They knocked me down as dead as a Herring, and then they took my Gun. I can't swear *Lawlor* took it, but he was one of the Men.

Lawlor. Did you ever see me before in your Life?

Lines. Yes; I saw him that Night; but I did not want to see him.

Lawlor. As God is my Judge I never saw him before.

Lines. There was a Lamp close to the Place, and I can swear *Lawlor* was one of the Men.

Las Cavenagh. This *Lawlor*, and *Leonard*, and I, have gone out a thieving together, several Times. I lived in *Lawlor's* Cellar, and have known both the Prisoners thirteen or fourteen Years; I have gone a thieving with them in *Ireland*. When we committed this Robbery, there was another Man with us, beside the two Prisoners, and we laid hold of the Prosecutors, while

Leonard watched on the other Side of the Way. We drank a Pint of Gin, between us four, before we went out; and wanting Money, we said we must have it, so as we were coming down *Drury-Lane*, over against the *Coal Yard*, we saw this Man with his Gun. *Lawlor* said to him, — d—mn you, What Business have you with a Gun, and struck him with the Stock of the Pistol which he had in his Hand, but he did not fall down. I held one of his Hands, to prevent his laying hold of any of us; and at the second Blow, he was knocked down. We took his Hat and Wig before he was knocked down, but I can't tell whether the Gun was seized before or after. The Name of the fourth Man in our Company, was *Noland*; and *Leonard* was to stand on the other Side of the Way, and to cry *Tommy! Tommy!* when any body came by: And he calling out *Tommy*, as soon as we had got the Man's Hat and Wig and Gun, we had not Time to rifle his Pockets, but were obliged to run away with what we had got. *Lawlor* pawned the Wig for six Shillings, and I pawned the Hat for three, to a Man, who, I believe is in Court, but they were not both pawned the same Day; and *Leonard* did not go to the Pawnbroker's with us, for we were afraid if so many of us went, the Folks would not have a good Suspicion [Opinion] of us. The Hat was pawned first, and in two or three Days Time, we pawned the Wig, and *Leonard* staid at Home in *Lawlor's* Cellar, while we were gone. The Money for the Hat and Wig, was nine Shillings, which we divided, and had two Shillings and three Pence a-piece. I never was before a Judge for any Dishonesty in my Life.

— *Thompson*. I know the Hat and Wig very well. This is *Mr. Lines's* Hat. I carry'd it to have a new Loop put to it; and this is the Wig he had on when he went out that Sunday, — but he came home without it. I have carry'd it twenty Times to the Barber's. He had them both on, when he went out, but he came home without either.

Lines. This is my Hat and Wig.

4 Witnesses. *Cavenagh* brought the Hat to me, and wanted three Shillings upon it. *Lawlor* came with the Wig, and asked six Shillings upon that, telling me, he should fetch it again in two or three Days. I thought them both very honest Men.

Lawlor. Ask this Witnesses if he knows *James Lawlor*?

The Witnesses. I can't swear justly to him, — but that Man, [pointing to *Lawlor*,] is like him and

and the Man that brought the Wig said his Name was *James Lawlor*.

Lawlor. 'Tis not very likely I should pawn a Thing I had stole in my own Name.

Q. to Lines. How came you to be out with a Gun on Saturday Night?

Lines. The Man of the Tavern wanted a Gun for the Train'd Bands, so I sent for it, and would have sold it him, but we could not agree for the Price; so I was carrying it home again.

Lawlor. I can give an Account where I was that Night. Call *Garret Cavenagh*.

Garret Cavenagh. I know *Lawlor*; he lodged with me about a Year ago, and paid me honestly: He has no Way to get his Bread but by Work, and the Labour of his Hands. I am a Smith, and he has work'd with me. I know nothing more.

Mrs. Buckland. He work'd with me upwards of three Years, in and out, and I never saw any thing dishonest in him. I live in *Princes-street*, by *Bridgewater-Square*.

Mrs. Lambeth. *Leonard* came to lodge with me a Fortnight before *Christmas* last; and on *Christmas-Day* in the Morning he and his Wife had a Quarrel, and she tore his Coat, and he could not go out all Day. *Mr. Lines* came to my House on *St. Stephen's Day*, and said he had lost his Hat and Wig, and Gun, and said he would give a Treat to have them again.

A Witness. As to *Leonard*, I have intrusted him with more than my own, backwards and forwards, and he always behav'd well. The second Day after *Christmas Day*, *Lines* came into *Lambeth's House*, and said he had been robb'd of his Hat, Wig and Gun, in *Drury Lane*; and that the Man who knock'd him down was in a close Set-to Coat. *Leonard* was then in the House, and *Lines* would have drank with him, but *Leonard* refus'd: *Lines* told us at the same time, that he was very much in Liquor.

Two other Witnesses gave *Leonard* the Character of an honest labouring Fellow. Both Guilty, Death.

149. *Henry Johnson* was indicted for ripping and stealing 148 lb. of Lead, fixed to the Dwelling-house of *Hugh Colley*, Clerk, *Jan. 18*.

He was a second Time indicted for breaking and entering the Dwelling-house of *Hugh Colley*, Clerk, about the Hour of Ten at Night, with a felonious Intent to steal his Money and Goods, *Jan. 18*.

The Rev. Mr. Colley. I live at *Mile-end Green*, on the 18th of *Jan.* last, about Ten in the Even-

ing, as my Wife and I were sitting by the Fire, in the Parlour, we heard a Cough before the Door: We imagin'd it was somebody going past the Door; but in a little time we heard the Cough repeated several times; my Wife imagin'd it was in the little fore Garden before the House. Immediately following the Coughs, there was a great Noise upon the Top of the House,—the Roof of the House shook; upon which I got up and went into the Hall, Immediately *Mr. Owen* (a Neighbour) came and said, there was a Man upon the House. *Mr. Lee* (my Writing-master) and I went out forwards to see if we could discover any thing, and *Evan Davis* went out backwards; Afterwards we return'd to the Door to get into the House, but it was shut, and we could not get in. While I stood at the Door, I heard a Noise in the House like breaking open Doors: I was in a great Consternation, and imagin'd that the Rogues had got in backwards, and had taken Possession of the House; upon this I ran to the back Part of the House, and kick'd against a Door in the Middle of the Garden, and got into a Passage, which led to the Window of the Room where my Wife and I lie; she was there crying out, *Thieves! Murder! Davis* was with me; and when I had got into the House, I call'd in *Mr. Lee* and *Mr. Owen*. My Wife was in her Chamber, almost dead with Fear,—the Maid in Fits, and the young Gentlemen were running from one Room to another in their Shirts. After I had encouraged my Wife, *Mr. Lee* and I examin'd the House, and when we were in the lower Part of it, *Davis* call'd out, he had taken the Man! and I went out immediately, and saw the Man in his Possession. He had deceived *Davis*, by running out of the House, and crying *Thieves!* without his Hat, (which we afterwards found in the House) so *Davis* at first thought it was *Lee*, but when he found his Mistake he pursu'd him; he (*the Prisoner*) had then Trowsers on, and in getting over the back Pales, the Tenter-hooks catch'd in his Trowsers; there *Davis* and he were engaged, while I, and *Owen*, and *Lee*, were examining the House; and the Prisoner said, he was sorry he had left his Hammer on the Top of the House, for if he had not, he would have dispatch'd him. As to the breaking the House, he broke through a Window into the Garret, and when the Casement was broke open, there was nothing to prevent his Entrance.

Mrs. Colley confirm'd the former Circumstances, adding, That she went up Stairs, and heard the *Garret Window* break, and somebody jump in:

N

That

That the Man was no sooner got in, but he came down Stairs; that upon hearing him come down, she ran into her Chamber, and shut the Door; for she thought he was coming in after her, upon which she ran to the Window, and call'd out *Thieves!*

Evan Davis deposed, That between Nine and Ten that Night, he saw a Man upon the House, and call'd *Mr. Lee*, his Fellow-servant, and bid him go to the other Side of the House: That he (*Davis*) saw the Prisoner go to the Garret Window; that he heard the Glass tumble down, upon which he went into the Back-yard, where he found his Master and *Mr. Owen*; and looking towards *Squire Heath's* Pales, he thought he saw his Coat upon the Pales, but when the Witness came up to the Pales, the Prisoner had got over them into another Garden; that he was not hung upon the Tenter-hooks when he was taken, but was getting over a Brick-wall, when the Witness took him, and that the Prisoner was the Man who was taken by him.

Mr. Lee confirm'd the former Accounts, and every Circumstance therein; adding, That *Davis* was in Pursuit of the Prisoner, and got over the Pales after him; that he call'd out to him (the Witness) and told him he had got the Man; upon which he got over the Pales likewise, and assisted *Davis* in bringing the Prisoner to the House: that upon searching him, they found two crooked Nails and a Knife in his Pocket, and that he apprehended the Prisoner broke into the House with an Intent, not only to rob the House, but to murder them.

Mr. Owen deposed, That while he was parting with a Friend near his own Door, a Man came from *Mr. Colley's* Door, and look'd hard at him: That he then gave a slight Cough, and pass'd him; upon which he (the Witness) went into his own House, and listen'd: That hearing his Foot stop all on a Sudden, he partly opened the Door, and saw him at *Mr. Colley's* Door, and heard him cough again: That he observed him to look up to the Top of *Mr. Colley's* House; that he look'd up too, and seeing a Man upon the Top of the House, he call'd out to *Mr. Colley's* People, and told them there were Thieves on the Top of their House; upon which the Man at the Door ran away: That *Mr. Colley* came out to the Witness, and they both went to *Mr. Colley's* Door, but could not get in: That they then went backwards, and heard *Davis* cry out, — *He had got the Man*, upon which the Witness ran to assist him, and so the Prisoner was taken.

Mr. Colley. I believe he would have robb'd the House, after he had got what Lead he could, if he had not been discover'd.

Thomas Lion, the Constable, search'd the Prisoner at the Watch-house, and found two Nails and a Clasp Knife in his Pocket.

Bean (Watchman). As we were carrying the Prisoner before Justice *Jones*, two Women met him, and gave him some Gin; and he mumbled, and said, — *D—mn* his Eyes, if he had not left his Hammer behind him, he would have kill'd *Davis*, when he seiz'd him. The Prisoner's Hat was found in *Mr. Colley's* Hall, and he (the Prisoner) own'd it the next Morning, and we gave it him thro' the Rails of the Cage.

Mary Randall. I found the Hat, and carry'd it into the Parlour.

Prisoner. I was accidentally coming by, and saw a Man upon the Eaves of the House, as if he would drop from thence; so I went into the Yard, intending to take the Thief, and finding the Back-door open, ran in and cry'd *Thieves!* two Men stopp'd me upon the Stairs, and said I was one of the Rogues; I got from them, and they took me as I was pursuing the Men that got over the Wall. Guilty, Death.

150. *Albby Johnson*, of *Harrow on the Hill*, was indicted for breaking and entering the Dwelling-house of *Thomas Brian*, Esq; about Twelve at Night, and stealing thence a Cloth Great Coat, val. 10 s. a Linnen Shift, val. 3 s. the Goods of *John Edlin*, in the said Dwelling-house, Jan. 16.

John Edlin. I am Servant to *Mr. Thomas Brian* at *Loxley Green*, in the Parish of *Harrow on the Hill*. The House was broke sometime in the Night, between Eleven and Four, the 17th of January: A Quarry of Glass was broke; through which the Casement was unhasped, and so the Person that robb'd us came into the Hall, from whence I lost a Great Coat, a Shift of my Wife's, a Shirt of mine, and a Piece of Calicoe Cloth, which I have not swore to. In a Day or two I saw these Things at *Richard Smith's* at *Gansford Green*, and they prove to be mine. This is the great Coat which was taken out of the House that Night, and 'tis mine; the Shift belongs to my Wife.

Richard Smith. The Prisoner brought this great Coat to me, as I was binding Hay in the Barn.

Prisoner. I found it. Guilty, Death, He was a second Time indicted for breaking and entering the Dwelling-house of *Thomas Thompson*, about Twelve at Night, and stealing a Hat.

Hat, val. 2 s. a Pair of Leather Boots, val. 9 s. the Goods of *Thomas Thompson*; and a Plush Coat, val. 9 s. and a Dimity Waistcoat, val. 3 s. 6d. the Goods of *Henry Rudd*, Jan. 31.

Thomas Thompson. My House was broke open the 31st of *January* at Night, and I lost a Hat, a Pair of Boots, and some other Things; likewise a Plush Coat, and a strip'd Dimity Waistcoat, which belong'd to *Henry Rudd*, a Servant of mine. A Pane of Glass was broke, by which Means the Casement was open'd; and I guess the Robbery was committed between Eleven and Twelve at Night. Here are the three Men who took him at *Ealing*, two Miles from my House: I live in the Parish of *Harrow on the Hill*. These are the Boots, and they are mine; but the Plush Coat we can't find.

A Witness. I bought these Boots of the Prisoner.

Prisoner. I did sell the Man the Boots. Guilty, Death.

151, 152, 153. *Edward Campbell*, *Elizabeth Booth*, and *Anne Lewis*, of *St. Giles's in the Fields*, were indicted for breaking and entering the Dwelling-house of *William Mumford*, between Twelve and One at Night, and stealing twenty-four Pair of Leather Shoes, val. 40 s. Feb. 13.

William Mumford. I went to Bed that Night about Eleven o'Clock, and fasten'd my Door. I rose at Six the next Morning, and found the House broke, and twenty-four Pair of Shoes gone: The Lock of the Door and four Bolts were broke. We have Part of the Goods here; this large Pair of Men's Shoes, and these Girls Pumps, are mine, and they were mark'd, — 2 s. each, but they have rubb'd the Marks out. I don't make them; I only buy and sell. *Campbel* confess'd before the Justice, that he broke open the House, between Twelve and One o'Clock, and that he took but fourteen Pairs, tho' I miss'd twenty-four when I came to number my Shoes.

Q. What Sort of a House was this?

Mumford. 'Tis a Shoemaker's Shop, and a Cook's Shop; I lie in the House: There are eight Rooms in it.

Martha Clark. Last *Valentine's Day* the three Prisoners, and *Nan Lewis's* Husband, came and knock'd at my Door about Six in the Morning: The two Women had their Aprons ty'd up with something in them; I asked them where they had been so early? they told me, — to see the Birds couple, and to gather Chickweed. By and by *Elizabeth Booth* put some of her Shoes into my Bed, and *Lewis* convey'd some of hers under the

Table, and they both desired me not to take any Notice, for they would raise some Money upon them, unknown to the Men, and would share it between themselves. I hid the Shoes, and *Campbel* and *Booth* stay'd there all Day, and quarrel'd about them. He damp'd her for a Bitch, and said there was not all the Shoes; she said, she knew nothing of them; so he lick'd her, and gave her two black Eyes. The next Day *Booth* and her Sister came and ask'd for one Pair, which I deliver'd into her Apron: And the Day after this *Campbel* and *Booth* came again, and as they both sat by the Fire, a Breeches-maker came in, and told me, (in their Hearing) that *Mumford's* Shop had been broke open, and he had lost a great many Shoes: This was on *Friday*, and they both seem'd very uneasy, and went away. The next Day, (*Saturday*) *Booth* came for the rest of the Shoes; and I told her, I would stop them for Mr. *Mumford*. As I was speaking, — in came *Campbel*, and says *Booth* to him, — do you know any thing of *Mumford's* Shoes? he told her, no: *Push off*, says she, and so away he went. When he was gone, she (*Booth*) asked me if I stopp'd the Shoes? I told her, — yes. Then d—mn my Eyes, (says she) I'll go and see if you have carry'd them home to *Mumford*, or not. Upon this I sent to *Mumford*, and he own'd the Goods. I can't say whether the Men had any of the Goods upon them when they came in; 'twas the two Women brought them in, in their Aprons. When they open'd their Laps, and shew'd me the Shoes, I thought 'twas fine Chickweed.

Prisoner Campbell. Did you see any of the Goods upon me?

Clark. He said before the Justice, — That he gave the Woman the Shoes, and if he had had a Sack, he could have carry'd off more.

A Constable. I had a Warrant against the Prisoners, and when we had found them, we carried them before Justice *Mercer*; *Campbel* confess'd that he broke open the Shop, and stole fourteen Pair of Shoes, and if there was more, the two Women cheated him. He said the two Women were there to receive the Goods, as he brought them out; but they said they were both innocent in the Affair.

Campbel. This *Martha Clark* owes me a Grudge, because I lodged in her House, and have not paid her; so she and *Addy* the Thief-Taker have colloqu'd together, to take away my Life for the Sake of the Reward.

Prisoner Booth. This *Lewis* and her Husband had quarrell'd, and I went out with her that Night.

Night to see *Him*, about Twelve at Night. Between Five and Six in the Morning, we called at this *Clark's* for a Dram. There we found *Campbel* and *Lewis's* Husband, with their Aprons full of Shoes, which they gave to us, and bid me tell *Clark* it was Chickweed. We had three or four Pints of Gin among us; and about Ten o'Clock they called us out into the Entry, and took them from us. *Campbel* told me——his Master was going to break, and he had been helping him off with those Goods.

Lewis. About Eleven at Night my Husband and I had Words; he went out, and I asked *Booth* to go with me to see for him. We went to several Places, and at last we found *him* and *Campbel* at *Clark's* with the Shoes.

Mumford. When *Booth* was before the Justice she said *Campbel* broke open the Shop, and brought out the Shoes, and that she and *Lewis* took them into their Aprons.

The Constable. *Campbel* told us, That *Lewis's* Husband was with them; that He and *Lewis* broke open the Shop, and the two Women were there, to assist in carrying the Goods away.

Campbel. I did not get up that Morning, till about Five o'Clock, and is it probable that after I had drank Share of so many Half-pints of Gin, I should break open a House! It takes up a good deal of Time to do such a Thing.

Campbel, Guilty, Death. *Booth* Acquitted of Burglary, but Guilty of the Felony. *Lewis* Acquitted.

154. *Peregrine Audley*, of *St. Butolph* without *Aldgate*, was indicted for assaulting *William Mawley* on the King's Highway, putting him in Fear, and taking from him a Hat value 2 s. a Peruke value 3 s. and a Shilling in Money, Feb. 11.

William Mawley. The Prisoner is the Man that robbed me of my Hat, Wig, and a Shilling, at the upper End of *Rosemary-Lane*, last Sunday Night was Se'en-night, between Eight and Nine o'Clock. He walked up to me, and looked me full in the Face, and, mumbling something, he gave me a Blow on the Breast, which surprized me, and then he took a Shilling out of my Pocket? and when I found my Hat and Wig go, I caught hold of his Coat, but he was too brisk for me, and got loose. I pursued him to the Place where he was taken, getting over a Wall into Justice *Riccards's* Yard. It was Moon-light, and I knew him again, and picked him out from all the People that were there. I saw the Colour of his Coat,——a White Loose Coat; a blew Waistcoat, and a speckled Shirt. I saw him at

the Justice's, in half an Hour after I was robbed, and remember he had a Scar on one Side of his Face; which I took Notice of, when he robbed me. I can't say I minded on which Side it was, when he robbed me, but I knew him again, and swore to him.

John Scot. I know the Prisoner is the Man we took in Justice *Riccards's* Garden, last Sunday was se'en-night, between Eight and Nine o'Clock. We carry'd him into Mr. *Riccards's* Parlour, and I was present when *Mawley* first saw him there. Several of our Men were standing together with the Prisoner, and he (*Mawley*) picked him out, and said, that was the Man who robbed him of a Hat, Wig, and a Shilling. The Prisoner had the same Coat on, that he has now; a Brew Jacket, and a Cap. The Hat I found in a back Place, and the Wig in another, about six or seven Yards from the Place where I took him: I brought them into the Parlour, and *Mawley* owned them. (He swore to them again in Court.)

Richard Walker. I live with Mr. *Riccards*; and hearing there were Thieves in the Garden, I ran in, and seeing the Prisoner, I laid hold of him, and carry'd him into the Parlour. The Prosecutor, when he came in, picked him out from among Twenty or Thirty People.

James Bradford. Last Sunday Se'en-night I heard a Cry of Thieves being the Garden, and I went out and found the Prisoner coming out of the Vault, I laid hold of him, but he was too strong for me, and got away from me: So the last Witness came up and took him directly; and when *Maudley* came in, he picked him out from among thirty or forty People.

A Witness. I was the Officer that took him into Custody: I found the Prosecutor bare-headed, with only a Handkerchief about his Head, and he was positive the Prisoner was the Man that robbed him.

Prisoner. I had been at the Glass House about a Quarter of an Hour, before the Maid said there were Thieves in the Glass House. I thought they had been only playing the Rogue: However, I went to the Door, and a Gentlewoman said,—'twas a long time before any body came to the House. Madam, says I, I came as soon as I could; then Mr. *Riccards* bid me go and see if any Body was in the Vault: so I went and poked about there, and these People came and took me, and then the Justice deny'd that he had sent me there. Guilty, Death.

155. *James Grimson*, alias *Grimsham*, was indicted for breaking and entering the House

of *John Ridley*, about Eight at Night, and stealing a Cloth Coat, a Cloth Waistcoat, a Pair of Buck-skin Breeches, five Shirts, five Guineas, four Half-Guineas, and twelve Pounds thirteen Shillings in Money, the Property of the said *Bridley*, in his Dwelling House, Feb. 8.

John Ridley. My House was broke open the 5th of February. I keep Coaches, and there is a Stable joins to my House, and a Door in the Stable, that goes up Stairs to my Chamber. This Door in the Stable must be broke first, and then the Chamber-Door. I went out in the Morning about Nine o'Clock, and left the Prisoner in the Stable, for he used to help me about my Coaches, and I did not come home 'till between Nine and Ten at Night. I am sure I locked the Chamber Door, for I called him up and gave him a Glass of Brandy, before I went out, and he saw me lock the Door when I came out. But when I came home, I found the Door broke, and this Iron was left in my Room, which *Mr. Johnson* in *Grays-Inn Lane* proved to be the Prisoner's, and the Prisoner owned *Mr. Johnson* gave it him. I lost seven Shirts, a Cloth Frock, a Cloth Waistcoat, a Pair of Buck-skin Breeches, and 20 l. in Money. I am positive I had all these Things in the Chamber on Saturday Night, and no one else had been in the Room from that Time to the Time I came home, and found I was robbed. When the Prisoner was taken, one of my Shirts was upon his Back, and he owned it was mine. He deny'd his taking any thing else, at first, but afterwards, when he found I was about to search his Lodging, he confessed his taking every thing, but the Money; and he acknowledged that he forced open the Door in the Stable with this Iron.

Prisoner. Were all the Things you found in my Custody your's?

Ridley. Yes: — The Shirts were all numbered and marked with I. R. They are in the Constable's Possession, but he could not be here.

Elizabeth Bassere. The Prisoner lodged in my House, a Week and two Days; and two Days before he was taken up, he desired me to tye up four Shirts in a Napkin for him, and put them in a Chest which stood in his Chamber, which I

did, without looking for any Marks, either good or bad; and seeing a Coat, Waistcoat, and Breeches upon his Bed, I put them in likewise. I can't tell whether he had these Things when he came to my House at first, nor did I know what Linnen he had; but three of the Shirts, and the Breeches, were found there, which *Mr. Ridley* owned, when he searched his Room, and one of the Shirts was upon his (*the Prisoner's*) Back, but the Coat and the Waistcoat were gone. I was present when *Ridley* searched, and he carry'd the Things he claimed before the Justice. During the Time the Prisoner lived at my House, he used to go out in the Morning, and come home at Night to Bed. I never saw him but twice in his Room, and I know nothing of his Character. A Coachman brought him to me, as an honest Man, and he behaved as such, to the best of my Knowledge.

Bury. Did he break the Door in the Stable, or the Chamber Door with that Iron?

Ridley. He broke the Door in the Stable first, and then the Chamber Door. The Stable Door was a strong Door, but he bent the Staple of the Door back, and then forced open the Chamber Door, which he saw me lock; 'twas a Stock-lock, and a very good one. When he came out, (I apprehend) he came thro' the Coach-house, which was fastened on the Inside with a wooden Pin; for those Doors were left open, and the Pin was gone.

Prisoner. The Shirts were, — all my own, — every one, — all my own, and the Breeches too. I bought the Breeches in Monmouth-street, and the Shirts in Rag-fair, but nobody was with me when I bought them. Acquitted of the *Burglary**, Guilty of the *Felony*.

156. *Abel Burn*, alias *Burn*, was indicted for stealing a Peruke, value 25 s. the Goods of *William Peartree*, in the Shop of *Thomas Howard*, Feb. 3. Guilty 4 s. 10 d.

157. *Grace Morris*, was indicted for stealing a Brass Saucepan, value 2 s. 6 d. the Goods of *William Richards*, Feb. 7. Guilty 10 d.

158. *Elizabeth Thomas* was indicted for stealing a pair of Leather Shoes, value 4 s. the Goods of *Robert Poewel*, Feb. 7.

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* Burglary is breaking into an House in the Night, with a Felonious Intent. In Law, 'tis Night when one Person's Face cannot be distinguished from another; Now, although the Prisoner confessed he broke open the Door, he did not in his Confession own at what time it was; and as the Prosecutor went out in the Morning the Offence charged as Burglary might have been committed before Night.

The Prosecutors not appearing, the Prisoner was Acquitted.

159. *Hugh Doffwait* was indicted for stealing thirty Pounds of Starch, value 3 s. 6 d. the Goods of *John Barefoot and Company*, Feb. 3. Guilty 10d.

160. *Barnard Mackennes* was indicted for stealing a Jointing Plane, value 3 s. the Goods of *Anthony Kingstot*; and thirty Pounds of Iron Back Hoops, value 2 s. 6 d. the Goods of *John Roswell*, in his Shop, Feb. 4.

No one appearing against the Prisoner, he was Acquitted.

161. *Mary Davis* was indicted for stealing a Watch, with the outside and inside Cases of Silver, value 42 s. and a Chain made of Brass, and other Base Metal, and a Brass Seal, value 2 s. 6 d. the Goods of *Thomas Cheveny* from his Person, Jan. 29.

Cheveny. On the 29th of January, I had been at a Club, at *The Black Hog* in *St. Martin's-Lane*, and as I was coming home about Ten o'Clock at Night, I met the Prisoner at the Bottom of *King-street, Westminster*; she took hold of me, and said, — *Master, will you treat?* I told her, I could not afford it. Well, says she, if you'll treat this Time, I'll treat next. Upon these Conditions, I said, I did not care if I did. Then she bid me come along with her. So she carry'd me to the House of one *Stark*, in *King street*, and I spent three Pence, then I said I would go home. She told me she would not part with me so, and followed me out to the Door; we stood talking together about a Quarter of an Hour, and in that Time she picked my Pocket, and then ran in Doors, and shut the Door upon me. I told her she had got my Watch, and called to have the Door opened, but it was not opened. Then I called the Watch, and they made them open the Door. There were other Women in the House, beside the Prisoner, so the Watchmen asked me, which of those Women had robbed me? I told them I did not see her, I believed she was got off, and the Watchmen said, they could not search the House without a Warrant; but the Man of the House telling us we might search, tho' we had no Warrant, we did search, and found the Prisoner hid in a Closet; so she was carry'd to the *Round house* for that Night, and next Morning we had her before Mr. *Frazier*. Before him, she said she knew nothing of the Watch, but it was produced at the same Time, by the Prisoner's Husband, and then she told the Justice she had found it.

Prisoner. Ask him whether he felt me take it?

Cheveny. No; I did not; but there was no one at the Door, or in the Entry with me, but the Prisoner.

George Stark. The Prosecutor came to my House, and desired me to take his Watch in Pawn till next Morning. I refused to take his Watch, but told him I would let him have a Shilling or two till the next Morning. D—mn it, says he, if you won't take it in Pawn, I'll go out of the House. I believe the Prisoner and he might have a Pot of Beer together, and then they went out together, for about five Minutes: After which the Prisoner ran into the House again; he followed her and said—G—d—mn the Bitch, she has picked my Pocket, and he called the Watchmen, who took the Prisoner, but they found no Watch upon her. However, in about half an Hour after she was confined, her Husband came and said, I have the Watch, — take it and carry it down to her. I would have nothing to do with it, so I bid him carry it down and deliver it himself, so he took the Watch from between the Window and the Window-shutter. When she was before the Justice the next Morning, she said she knew nothing of the Matter, but she desired me to go and speak to her Husband about it; and I went up accordingly into her Room, and there the Watch was found between the Bed and the Sacking, and it was carried to Justice *Frazier*. She lodged in *Cabbage-Lane, Westminster*.

The Constable. This is the Watch that was brought to Mr. *Frazier*.

Stark. I can't swear to it, nor do I remember what she said before the Justice, when the Watch was brought.

Constable. This is the same Watch which was deliver'd to me before the Justice. *Stark* brought it in, and the Prosecutor swore to it.

Cheveny. This is my Watch.

Stark. I can't swear to it; but I deliver'd the same Watch which I found in her Lodging to Mr. *Frazier*.

Constable. And Mr. *Frazier* deliver'd it to me.

Prisoner. I never saw the Watch to my Knowledge. I was going home, and this Man came up to me, and clapp'd Two-pence Halfpenny into my Hand, to go and drink with him. I did not care to drink with a Stranger any where, so I went to this Mr. *Stark's*, because I was afraid of him, but I never drank of the Beer, nor did I sit by him. Acquitted

162. *Johannah Harris* was indicted for stealing a Woollen Rug, val. 5 s. a Blanket, val. 2 s.

two Sheets, val. 5 s. and several other Things, in her Lodging, the Goods of *John Cox*, Jan. 22. But the Prosecutors not appearing when call'd, the Prisoner was Acquitted.

163, 164. *Ann Price* and *Sarah Gresham* were indicted for assaulting *Thomas Cealey* in a certain Court near the King's High-way, putting him in Fear, &c. and taking from him 18 s. in Silver, and Twopence Halfpenny in Copper, Jan. 26.

Thomas Cealey. I was coming down *Fleet-street*, the 26th of *January* between Twelve and One o'Clock in the Night, — I had been on an Errand, and was going home; and a little on this Side *Hanging-Sword Alley*, in *Cheapside*, — *Fleet-street*, *Fleet-street*, I mean, — there *Nan Price* and *Sarah Gresham* met me, and knock'd me down with their Fists; — they struck me under the Eyes, and made 'em black for a Week. I got up, and they knock'd me down again, and rifled me, and took my Money, — 18 s. and Twopence Halfpenny. After this they charged the Watch with me, and I was sent to the Compter; so I charged the Watch with them, and they were sent away too. The Element was thick; 'twas between Dark and Light; — 'twas middling. I am a marry'd Man, and a House-keeper. I am positive they are the two Women.

Price. Did not you swear before the Alderman, That you had been drinking a Pint of Beer with me in a House in *White Lyon Court*?

Cealey. No; they would have had me gone into a House with them, but I refused it; this was before they knock'd me down. I charged them with the Robbery as soon as it was committed; and they were taken into Custody as well as I, and the next Day we were all carry'd before Sir *William Billers*, a little below *Sadler's Hall*. — 'Twas at *Guildhall*. (It appear'd by the Calendar, that they were committed by Sir *John Salter*.)

Price. He swore before the Justice, that he was robb'd in a House.

A Woman. I saw that old Gentleman in the uppermost House in *White Lyon Court*; and afterwards he said he had been robb'd in that House, and would have had the Watchman have made them open the Doors, but the People of the House refused to do it.

A Witness gave *Price* the Character of an honest Woman. Both Acquitted*.

165. *Thomas Compton* was indicted for that

he, being a Person of a wicked and evil Disposition, on the 4th of *February* in the Parish of *St. Gregory*, by *St. Paul's*, with a certain offensive Weapon, call'd an Iron Hammer, &c. on *John Dew* and *Elizabeth Lynnel* did make an Assault, with a felonious Intent, their Money to steal, &c.

John Dew. Mrs. *Lynnel* and I had been to see my Mother in the *Strand*, on the 4th of *February*; we came back after Seven o'Clock, and at *Fleet ditch* we took Coach to carry us to *St. Margaret's Hill*. On the South Side of *St. Paul's*, the Prisoner came, and put something into the Coach, and another (who was with him) cry'd out, — Stop! stop! but the Coachman drove on; upon which the Prisoner ran from the Coach-door, and told the Coachman, — If he did not stop, he would knock his Brains out. The Coach was stopp'd by the Prisoner; and I open'd the Coach-door and jump'd out, Mrs. *Lynnel* jump'd out after me, and slipp'd down; I had no sooner help'd her up, but the Prisoner ran from the Horses Heads to the Coach-door again, and cry'd, — D—mn it, where's the Man and the Woman that were in the Coach! I cry'd, here; and he laid hold of me; I took hold of him; he had a Hammer in his Hand: But a Gentleman happening to come by, assisted me, and we took him to a publick House, 'till we could get a Constable. When the Constable came, we found a Peruke under him, but he would not own it belong'd to him. This is the Hammer; and a Knife was also found in his Pocket. He beg'd hard to be let go; but the Constable secur'd him, and the next Morning when he was carry'd before Sir *John Thompson*, he said he believed the Wig that was found under him, (the Night before) was his, and it was accordingly return'd to him by the Constable. I apprehend his Design was to rob us, by his stopping the Coach.

Sarah Clark. I was coming out of *Red Lion Court*, on the South Side of *St. Paul's*, and heard a Cry of — Thieves! — Murder! — when I had got to the End of the Court, I heard somebody say, he had a Pistol; I look'd and pok'd about, and found this Hammer. I ask'd who this belong'd to? and the Coachman came up, and took it from me.

Elizabeth Lynnel gave exactly the same Account as Mr. *Dew* had done, only adding, — That when the Prisoner put the Hammer into the Coach she took it for a Pistol.

Thomas

* *Cealey* swore before Sir *John Salter* to a Private Stealing; this Indictment was laid for a Street Robbery, on which, had the Prisoners been convicted, he would have been intitled to a Reward of 280 l.

Thomas Golding, the Coachman. I was driving by St. Paul's that Night, a little after Seven o'Clock, and the Prisoner and another Man, call'd out,—*Stop!* I ask'd them what I must stop for, and went on a little farther; but the Prisoner came up to the Horses, and said if I did not stop he would knock my Brains out.

William Elson. On Sunday the 4th of this Month, I was coming through St. Paul's Church-yard, between Seven and Eight o'Clock at Night, and heard a Cry of *Stop Thief!—Murder!* I went to see what was the Matter, and found Mr. Dew and the Prisoner between the Posts and the Houses. The Prisoner said,—*Where's the Man and the Woman that was in the Coach?* the Prosecutor said,—*I am the Man.* Then the Prisoner struck him, and disengaged himself from him; but upon the Prosecutor's calling out,—(What will nobody assist in taking a Street Robber,) I seiz'd him by the Collar.

Prisoner. I was coming along Paul's Church-yard, and this Man and Woman cry'd out, Thieves. I was then before them, and cry'd,—What's the Matter? Upon which the Man said, I suppose you are one of them, and so he laid hold of my Coat, and said I had a Pistol about me; and they carry'd me into a House, and took a Knife from me, tho' I told them I was a Coachman, and that we Coachmen seldom go without Knives about us.

Three Witnesses spoke to the Prisoner's Character, and said they thought he had been an honest Fellow. Guilty.

166. *David Adamson* of St. Mary Whitechapel was indicted, for that at the Sessions of Goal-delivery of Newgate, held at Justice-hall in the Old Baily, on Wednesday the 17th of January last, &c. *William Rogers* was according to due Form of Law indicted for that he, on the 15th of November, in the Parish of Allhallows Barkin, 13 lb. of Tobacco, val. 7 s. the Goods of Persons unknown, did steal, &c. and on the said Indictment, the said Rogers was according to due Form of Law try'd by a Jury of the Country, empannel'd between our Lord the King and the said Rogers, and was by the said Jury convicted, as by the Record, &c. doth more fully appear. And the Jurors now farther present, that he the said Adamson on the 15th of November, the said 13 lb. of Tobacco, did receive, &c. knowing it to be stole.

The Council for the King having open'd the Charge, the Witnesses were call'd.

William Keys. I knew Rogers, and I know the

Prisoner; and I know of some Tobacco which was taken by Rogues,—some from the Tops of the Hogheads, and some out of the Hogheads,—where we can light of it. Rogers and I have been concern'd in taking Tobacco; this 13 lb. and a half we took: we stole it, and carry'd it to David Adamson, the Prisoner, at his House: He lives two Doors beyond the Bull-head in Petticoat Lane, on the right Hand Side of the Way; I carried it there, and Adamson weigh'd it: He then had not Silver enough in the House to pay for it, but he desired me to go to the Bull-head, and he would come to me,—*desiring me not to take any Notice*; and accordingly he came there, chang'd a Guinea, and paid us. Rogers was with me at the same time. He paid us for 13 lb. and a half of Tobacco, 5 s. 6 d. and he paid at the same time 3 d. for a full Pot of Beer, which we had Part of.

Counc. And what Sort of Tobacco might this be?

Keys. Merchants Tobacco,—good Tobacco, I never enquired into the Worth of it; but sometimes we got Threepence,—sometimes a Groat a Pound: What he gave us was not the Worth of the Tobacco, for he gave us but 5 s. and 6 d.—for 13 lb. and a half. I was taken up on Thursday in Christmas Week, and was committed to Bridewell, where I lay a Fortnight. When I was taken up, I went before a Justice, and declared the whole Truth. We took our Opportunity to take Tobacco, sometimes in a Morning, before People were stirring, and at other times, as we had Opportunity. Rogers help'd to steal this Tobacco as well as I: He own'd before the Lord Mayor that it was stoln;—and he stole more than I did.

Counc. I ask you, Whether the Prisoner knew it was stole?

Keys. Yes; I have sold several Quantities of Tobacco to him before this; and I have told him where it came from. He us'd to say,—*Why, this is bad Tobacco*; and I us'd to say to him,—*we can't make it better than it is—'tis such as we can get.*

Counc. Did you tell him this very Tobacco was stolen?

Keys. Yes; I did; this very 13 lb. and half,—and every Bit of Tobacco we sold him, we told him was stolen; and he knew it was stolen. We have sold him Tobacco very frequently,—and large Quantities.

Japh

Joseph Crozier. I am a Constable belonging to the Custom-House Key. My Business is, to look out for lurking Fellows, who steal the Merchant's Tobacco. I saw a great deal at *Adamson's* House, when I went there with *Mr. Green* the Surveyor. *Keys* told me, when he was taken up, that if I would go to *Adamson's*, I might see a great many Pilferers upon the Keys. I went; and the first Man I saw go in was *Mr. Hanbury's* Watchman, with a great Parcel of Tobacco, which we seiz'd in *Adamson's* Scales, and we found several Parcels of Tobacco, of different Sorts, in several Parts of his House; some *Oroonoko*, some Sweet-scented, and all in small Quantities. He keeps a little Snuff-Shop in *Petticoat-Lane*, and there we found a great Parcel of different Sorts of Tobacco. When he was taken up, he desired *Rogers* and *Keys* to be as favourable to him, in their Account before my Lord Mayor, as they could; and he desired me to speak to *Rogers* and *Keys*, that they might be favourable to him, for the sake of his Family, and that they might not tell all they knew of him; telling me that if I would go down with him to the Keys, he would shew me a great many People he had bought Tobacco of. He owned he bought this 13 lb. and a half of *Rogers* and *Keys*, and they told him he knew very well that he had bought a great many other Parcels of them beside this. He would have made an Information against several People, but it was too late.

Counc. What do you take this Tobacco to be worth?

Crozier. Some Tobacco is better than other; but I think none can be bought for the Price he gave for this. I take it, the Duty upon it is Five Pence Farthing, or Five Pence Half-penny per lb. I have taken 3000 lb. Weight of stolen Tobacco from other People; and there are forty People now in *Bridewell* for taking it. When the Prisoner was first taken, I advised him to make himself an Evidence; but then he said, he knew nothing of the Matter; and afterwards, when he desired it, it was too late.

Peter Lindsey. I have wrought about a Twelve-month in the Prisoner's Shop: And all I have to say is, That I never saw him deal in this Way. I have sometimes made 40 lb. of Snuff in a Week for him.

Counc. And how much Tobacco goes to the making 40 lb. of Snuff?

Lindsay. I can't tell that. 'Tis made of Scots Roll, and he has bought Roll of *Mr. Gregory*.

Mary Campbell. I lived as a Servant with the Prisoner Nine Months, and have been come away from him about Three. I served often in the Shop, and I never saw any such Persons come there.

Counc. Might he not buy Tobacco, and you not know it?

Canpbell. He never did — to my Knowledge. He bought some of one *Mr. Cootes* — but I did not use to go with him when he bought it.

Alexander Cootes. The Prisoner used to come to our House, and he'd buy sometimes more, sometimes less; — sometimes he'd buy a Roll of Tobacco, — sometimes a Cask of Snuff. Sometimes he'd pay, and sometimes he'd let it alone till he had another Parcel. I have been acquainted with him Six or Seven Years, full; and he always came down very hard for what he bought, but I took him to be an honest Man. I deal in Roll Tobacco from *Scotland*.

Counc. Did you ever sell him any Leaf Tobacco?

Mr. Cootes. No.

Thomas Foresight. I have known the Prisoner from a Child. I have been acquainted with him, and have had Dealings with him, and have lodged in his House, and have work'd for him; and his Character is, — that he is an honest Man, and buys his Goods honourably, and has Bills of Parcels with them. I am a Snuff Maker.

Counc. And do you buy your Tobacco in Small Quantities?

Foresight. No; I never buy less than a hundred Weight now: 'Tis not usual to buy in small Quantities; but when we have not much Money, we must buy what we can. I don't know but I have bought a Shilling's Worth myself, — a Man can go no farther than his Stock will bear.

Mr. Hamilton. I am Clerk to *Mr. Buchanan*, a Tobacco-Merchant: The Prisoner has bought small Parcels of Tobacco of us. I never heard any thing amiss of him before this Affair.

Edward Gregory. I am a Tobacconist and Snuff-Maker; I have known the Prisoner Twelve or Fourteen Years, and never heard but that he was a fair Dealer, and bore the Character of an honest Man.

John Oliver. I have known him between two and three Years, in my Neighbourhood, and never heard but that he was very honest. — I am not a Snuff-Man, — I am a *Horner*.

John Row, likewise, and *William Catchpole*, gave the Prisoner a good Character. Acquitted.

167. **Deborah Chandler**, of *St. Mary le Strand*, was indicted for stealing a Gold Watch in a *Shagreen Case*, val. 10 l. the Goods of *Fane Kidd*, *March 16. 1734.* And,

168. **George Stringer**, of *St. Clement Danes*, Pawnbroker, was indicted for receiving the same, knowing it to be stole.

It appearing that *Mrs. Kidd* had a Husband, the Prisoners were Acquitted.

169. **John Birkenhead**, of *St. Clement Danes*, was indicted for stealing six Perukes, the Property of sundry Persons, and a Stuff Banjan, and a Pewter Bason, the Goods of *William Meredith*, *Jan. 26.*

William Meredith and *Patrick Fuller* appeared, and swore to the Loss of the Goods: But the material Witness (*George Sherrow*) not appearing when called, the Prisoner was Acquitted.

He was a second time indicted for stealing two Pair of Brass Shoe Buckles, val. 2 s. a Pair of Brass Knee-Buckles, val. 1 s. three Iron japan'd Snuff-Boxes, val. 6 d. two Nutmeg-graters, value 6 d. three Iron Cork-Screws, val. 12 d. and several other Goods, the Property of *William Wills*, *Jan. 29.* in his Shop.

The Prosecutors not appearing, though often called, the Prisoner was Acquitted, and their Recognizances were estreated, by special Order of the Court.

170. **Mary Percival** was indicted for stealing eighteen Pewter Plates, val. 18 s. and two Pewter Dishes, val. 2 s. the Goods of *Matthias Skelton*, *Feb. 11.*

The Prosecutor not appearing, the Prisoner was Acquitted, and the Court ordered the Recognizances to be estreated.

171. **Sarah Conyer** was indicted for stealing a Copper Tea-Kettle, val. 2 s. 6 d. two Copper Sauce-Pans, val 2 s. three Linnen Sheets, val. 8 s. and a Linnen Counterpane, val. 2 s. the Goods of *John Bennet*, in the Prisoners Lodging, *Jan. 21.* and a Suit of Cambrick Lac'd Headcloaths, val. 10 s. and a Blanket, val. 12 d. the Goods of *John Bennet*, *Jan. 21.*

None of the Witnesses, but *Rebecca Aris*, appearing, the Prisoner was Acquitted, and the Court ordered their Recognizances to be estreated.

172. **Thomas Fisher** was indicted for stealing 12 lb. of Loaf Sugar, val. 6 s. 9 d. the Goods of *Francis Blundell*, *Feb. 2.* And

173. **Robert Hill** was indicted, for receiving 6 lb. of the same, knowing it to be stole, *Feb. 3.*

The Witnesses not appearing, the Prisoner was likewise Acquitted.

174. **Ann Parkinson** was indicted for stealing a Pair of Stays, val. 15 s. a Cloth Cloak, val. 3 s. a Muslin Apron, val. 2 s. and a Pair of Leather Clogs, val. 6 d. the Goods of *Thomas Butler*, *Jan. 27.* Acquitted.

175. 176. **Isabell Rice**, and **Margaret Austin**, were indicted for stealing a Blanket, val. 6 d. a Rug, val. 6 d. a Sheet, val 6 d. and a Bolster val. 2 s. the Goods of *John Dixon*, *Jan. 25.* Both Acquitted.

177. **Elizabeth Mac Karrel** was indicted for stealing a Camblet Gown, val. 6 s. the Goods of *Joseph Whiffin*, *Feb 21.*

The Prosecutor not appearing, the Prisoner was Acquitted.

178. **Richard Keeble** was indicted for stealing three Hats, val. 22 s. the Goods of *Charles Pomeroy*, in his Shop, *Feb. 2.*

Pomeroy. I was robbed of three Hats, this Day three Weeks, and heard nothing of them, till these People, (*Keeble*, *Crockett*, and *Huddle*) were taken. Then I went up to Justice *Farmer*, and *Huddle* told me, that he and the Prisoner had stole the Hats out of my Shop, and had pawned them to a Woman, who now keeps out of the Way.

Huddle. About the Time the Gentleman mentions, we stole three Hats off the Counter. There were two Shutters to the Window of the Shop, and one of them was down, and the other was up. The Prisoner reach'd over and took them; I stood by him, but neither of us went into the Shop. Guilty, 4 s 10 d.

179. **Richard Keeble** was a second Time indicted for stealing 50 Yards of Linnen Cloth, and 30 Yards of Cotton Check, the Goods of *Andrew Smith*, *Feb. 15.*

Smith. I know nothing of the Prisoner: I can only say I lost the Goods mentioned in the Indictment, which I value at 4 l.

Huddle. *Dick Keeble* and I committed this Robbery: He open'd the Lock of a spiked Hatch at the Door, and went in, and brought out three Rolls of white Cloth; then I went in, and brought out a Roll of Check, which we sold, as I have mentioned in my Information. That Man at the Bar first brought me under these Misfortunes.

Prisoner. What time of the Day did we commit this Robbery?

Huddle. Between One and Two in the Afternoon.

Ann Maddox. Last Monday I went to New Prison to see a young Woman who cries Earthen Ware, as I do; I asked her how she came to be there? she told me a Robbery was sworn against her, and that *Keeble* (the Prisoner) was there too. *Huddle* the Evidence was present, and said to her, —My Dear, don't trouble yourself; for I will hang an hundred, and will swear against them, right or wrong, before either he or you shall suffer.

Nathaniel Harris. This Woman has been in Custody in Newgate herself before now.

Maddox. No; never in my Life. Guilty, 4 s. 10 d.

180. 181. *Richard Keeble* was a third time indicted with *John Crockat*, for stealing seven Yards of strip'd Linnen, val. 7 s. the Goods of *Timothy Carter* in his Shop, Jan. 27.

Mr. Carter. Last Saturday was three Weeks, (I think it was) about Seven o'Clock in the Evening, my Shop Door was shut, and the Sashes in the Shop Window were shut down, and I was in the Shop myself; but yet somebody in the Street lifted up the Sash, and I saw a Hand take out seven Yards of strip'd Linnen. I cry'd out Thieves, and ran to the Door and open'd it, but the Thief was got off with my Goods, and I have never seen them since, nor heard of them, 'till *Huddle* made his Information before Justice *Farmer*, and then I was sent for, and *Huddle* said the two Prisoners were concern'd with him in robbing me.

Huddle. On the 27th of last Month, as the two Prisoners and I were coming down New Gravel Lane, we stopp'd at this Man's Shop-window. I lifted up the Sash, and we took a Roll of Check, which we carry'd to Mrs. *Turner*, and she sold it for us, and brought us for it, between nine and ten Shillings, to the best of my Knowledge. I think Mrs. *Turner* paid the Money to *Crockat*, and we shar'd it between us.

Keeble. Whereabout did I stand when you took the Linnen?

Huddle. *Keeble* was at the Steps at the Shop-door, and *Crockat* was at a Post before the Door, about three or four Yards from the Steps.

Keeble. Where was the Money parted?

Huddle. At Mrs. *Turner*'s House; we turn'd our Backs upon the rest of the Company, and divided the Money.

Ann Turner. The two Prisoners at the Bar, and the Evidence, brought me seven Yards of strip'd Linnen, and I sold it for 8 s. and gave

the Money to *Crockat*; he was the Man that generally took the Money for all. They brought me some Gloves to sell for them before they brought this Linnen. I think the Linnen was brought in January, on a Saturday Night.

John Smith and *Sarah Higgins* had known *Crockat*, a great many Years, and believ'd he had the Character of an honest Man.

John Riles had known *Crockat* sixteen or seventeen Years, and swore he had been trusted with a great many Hundred thousand Pounds. Both Guilty, 4 s. 10 d.

182. 183. 184. *George Haggis*, of St. Mary Whitechapel, was indicted for that he, not having God before his Eyes, &c. on the 12th of February, on *Sarah Main*, Spinster, did make an Assault, and her unlawfully, feloniously, and against her Will, did carnally know, and abuse, against the Form of the Statute, &c. And *Richard Keeble* was a fourth time indicted, with *Thomas Gibbons*, for that they feloniously were present helping, comforting, and assisting him the said *Haggis*, the aforesaid Rape to commit, &c.

Sarah Main. I lodg'd in the New 'Change, in Rag-fair, with a single Woman, —a poor Woman; she blacks Shoes. I gave her 6 d. a Week for my Lodging, and there was two others lodged there, who gave her 6 d. a Week a-piece. About three Weeks ago, I went out for a Pipe, between Eleven and Twelve o'Clock at Night, to the *Cheshire Cheese*, and to beg a little Bit of Tobacco; and there I saw *George Haggis* [the Butcher,] *Keeble* and *Gibbons*; there were Seven of them in all. *Haggis* told me, (at the *Cheshire Cheese*) that I was his Wife; and you B—ch, (said he) you ran away from me the Day before: I ran out of the House from him as fast as I could, [in order] to get home, but he ran after me into the New 'Change. The New 'Change is a Place like a Square, where the People bring old Cloaths, and lay them down for Sale. He overtook me by the Pump in the New 'Change, and tore my Gown out of the Gathers, and beat me with a Stick; then he wanted to be impudent with me there. [The Witness here gave a particular Account of the beastly Behaviour of *Haggis* in this Place.] But somebody looking out of a Window, and calling to him, he desisted, and let me go. I ran away again, but he ran after me, and got hold of the Tail of my Gown, and though I was got to my Landlady's Door, yet I could not get in, and shut the Door upon him, but he came in after me. My Landlady,

lady, and a Woman big with Child, and a Boy was in the Room, — 'twas a Ground Room, where the Woman, the Boy, and I used to lie, for a Penny a Night. When *Haggis* was got into the Room, six other Fellows follow'd him, and came in, among whom were the Prisoners, *Keeble*, *Gibbons* (the Barber), and a Fidler. They were no sooner in the Room, but they turn'd the two Women out; and the Boy was order'd out, but he hid himself in a little Closet by the Door. When the Door was shut, and lock'd, and the Key taken out, *Keeble* threw me down; (he was the first Man who abused me in the House.) Then they blew the Candle out, and blow'd it in again; this they did two or three times: [*The Witness express'd herself here in Terms necessary to prove the Fact, and gave such an unparallel'd Account of the Abuse, and of Gibbons's Behaviour, as would be shocking to every chaste Ear.*] I cry'd out *Murder!* but *Haggis* said, if I made a Noise he would run his Knife into me; and tho' I did all that I could to prevent it, yet he abused me three times in the Space of half an Hour. I cry'd out, *Murder!* but the other Men laughed, and cry'd, — *beat the B--ch, beat the B--ch, make her be still*, and *Gibbons* laid hold of me, while *Haggis* was abusing me; and then *Gibbons* himself, and *Keeble*, — and all of them, &c. I was left in such a Condition, &c. that had it not been for *Gibbons*, I should have been burnt to Death. The Fidler they brought in with them, was present all the time, and play'd several Tunes. After this they unlock'd the Door, and went away; and my Landlady came in as soon as they were gone. I cry'd, and made my Complaint to her; she told me, she was afraid to come in, for Fear of having her Brains dash'd out. I complain'd likewise to the People at next Door; and they told me, that when the Men left me, they came in there for each of them a Glass of *Maxim*, [*Geneya*,] but they could not tell any of their Names. I live alone, — I have had no Friends these three Years, so I give this Woman 6 d. a Week to let me lie there: Her Name is *Pogey*. The Prisoners came sometime afterwards to the House, and said, if the People who were in the House had not gone out, they would have served them the same Sauce.

Haggis. Did not I give you Money?

Main. No.

Haggis. Did not you say, if *Gibbons* would give you half a Crown, you would not prosecute? Did not you receive Money?

Main. No; they would have given me a Halfpenny a-piece, but I would not take any of their Money, but made an Information against them, before Justice *Riccards*, the next Day after the Abuse was committed; I can't tell directly the time, but 'twas on a Monday Night, about a Fortnight ago.

Gibbons. It was not on the next Day (*Tuesday*) that she made her Information, for she was with me the next Day to make it up.

Mr. Justice Riccards. I took the Girl's Information on the 14th Instant, but I can't be sure whether it was *Tuesday* or *Wednesday*. She swore the Fact was committed on *Monday* the 12th.

Gibbons. Was not you with me at the *Three Tobacco Pipes*, and drank with me after this?

Main. I was there with a Woman and her Husband, and the Woman's Husband said, — let's send for *Gibbons*, and he came, and owned the Fact, and desired me to make it up. This was on *Tuesday* between Three and Four o'Clock. He said he would cloath me, if I would make it up, and he offered to pay me ten Pounds, but I told him if I cleared one, I must clear the rest; and he said, — no, you Fool, there's no Occasion for that. I did not accept of his Offer, but came away without his Notice, and left him drinking with the Man.

Sarah Liley, (nicknamed *Pogey*) gave an Account, That on Monday Night, at almost Twelve, *Haggis* came to her Door, and asked for a Quarter of *Maxim*; and tho' the Door was locked, he pushed it open; a little Push, she said, would open it, and then *Haggis* came in; he had not been long in the Room, before *Main* went to beg a Pipe of Tobacco for the Woman with Child, and *Haggis* followed her out. While *Main* was out, she heard her call out, — *Pogey!* — *Pogey!* but she was afraid to go out to her. When *Main* returned, the Men all came in in a Quarter of a Minute after her, and *Haggis* struck *Main* a Slap in the Face, &c. [*She here gave an Account of Haggis's obscene Behaviour, before she was turned out*] And that one of them cry'd, — turn the Bitches out, which was done accordingly. That she went to the Watch House twice, and asked for the Constable, telling the Watchman Mischief she apprehended would be done; that at last she found the Constable in the Watch House, but he would not stir out of his Chair, nor any of the Men. That before she went to call the Constable, she heard the Girl cry out dreadfully

fully ——— *Murder! Murder!* And when she came back, she saw Three Men come out of her Door first, and Four others after them, but that she could not swear to any of them but *Gibbons*.

Edward Saw (the Boy) gave an Account, That he stood in a Closet by the Door, and saw *Haggis's* Nakedness, &c. And, that she screamed out, and the Fidler play'd all the Time. His Evidence confirmed *Main's* and *Pogey's* in several Circumstances. He added, That he staid in the Closet till he was frighted and terrify'd (lest they should find him, and abuse him, &c.) then he got away.

Gibbons the Prisoner said the Boy had a bad Character; and the Boy owned he had been disobedient to his Father, and had been Guilty of something he was ashamed to speak of.

Mr. Ricards informed the Court, That *Gibbons*, when he was before him, named *Haggis*, and *Keeble* (a notorious Thief) as concerned in the Fact; he would not allow a Rape had been committed; but he said, they had used the Girl very ill, and if it had not been for him, she must have been burned to Death.

Haggis, in his Defence, gave an Account of some lewd Discourse that pass'd between him and the Girl, when she came for the Pipe of Tobacco, and said she was a notorious Whore, and the Boy a Pick-pocket.

Gibbons said, He was out that Night with others, in Pursuit of *Keeble*, who was a Thief, and had he been in the Way, they should rather have taken him, than assisted him.

Keeble, *Gibbons* is a Thief-Taker, and was then in Pursuit of me, to take me.

John Frederick deposed, That he was in *Pogey's* House during these Transactions, and that the three Prisoners came in with a Fidler and three other Men, and the Girl ran in before them. He mentioned some Circumstances in *Haggis's* Behaviour, which corresponded with the Girl's Account, and that of *Edward Saw*, (the Boy) but he added one Instance of Indecency in the Girl, before the Commission of the Fact. He said, the Girl did cry out, and said, — *O Lord! let me alone*. But as he was sent out for a Pint of Gin, he did not see all that passed. In answer to a Question that *Gibbons* put to the Witness, he said he lodged one Night with *Main* about a Year and a half ago, and likewise that very Night the Fact was committed, after the Prisoners and their Companions were gone; and that *Keeble* was not one of the Company.

Mary Barnett, a Midwife, said, she went to see the Girl in *White-Chappel* Work-house, on the Saturday following; she examined her, and found her Body Scabby, and Symptoms of the Itch upon her, but not the least Sign of her having been thus abused.

John Harris, Surgeon, examined her a Week after the Fact, and found no Disorder, but he could not tell whether there might not have been an Amendment in a Week's time.

Mary Carnes gave an Account, that she saw the Men go in a little after Ten, and that they came out again a little before Twelve. That she saw the Boy at the Door, and he told her ——— the Men were a-going to send for Liquor, and to give the Girl a Penny a-piece. That the Boy was several Times at the Door to listen, and she heard a Noise, but could not tell which of them made it: That *Pogey* came to and fro, and went to call the Watch: That she had heard some People give the Girl a bad Character, but *Pogey's*, in General, was that of an idle Person. And that *Pogey* kept a Room for Lodgers, yet there was no Bed in it, nor any Thing but a Tub, a Salmon-Kitt, and two Stones in the Chimney to make a Fire between.

Jane Gilstrap deposed to the same Effect, adding, That when the Men were gone, she saw *Pogey* and the Girl go out together for a Dram, and that the Girl told her, they had not much injured her, only her Cheeks and her Hands were sore with their beating her.

Cath. Chappel saw the Prisoners come out of the House; her Evidence was to the same Effect with *Gilstrap's* and *Carnes's*.

Richard Hall, the Boy's (*Saw's*) Father-in-law, deposed, That the Boy would lie about in the Streets, and he could not speak in his Behalf.

Mary Norris swore she heard *Pogey* say, (the Day before the Trial) that she had not appeared against the Prisoners, if they had given her the new Cloaths they had promised her; and that both she and the Girl had very bad Characters.

Thomas Masters deposed, That he had seen the Fellows that lurk about the Glass House pulling and halling both *Pogey* and the Girl, and he thought they seemed willing to be so pulled and halled about.

Thomas Godding, *Nathaniel Harris*, *Patrick Edwards*, *Elizabeth Goston*, *George Dean*, *Ellen Newport*, *Robert Hill*, *Robert Kisby*, *Samuel Gibbons*, *Thomas Sullivan*, *Sarah Pomfret*, *Thomas Barnett*, *Mary Smith*, *Hannah Harris*

Q.

William

William Dean, and *Henry Teat*, appeared for the Prisoners, and gave them good Characters; some of those who appeared for *Gibbons*, declared they never heard his Character impeached, but on Account of being a Thief-Taker, and that he lived agreeably with his Wife, and was fond of his Children. Those for *Haggis* declared, they took him to be an honest Man. Several of these Witnesses gave *Pogey*, and the Girl an ill Character. All Acquitted.

185. *Ann Key*, alias *Borris* was indicted for stealing a Pair of Sheets, value 3 s. the Goods of *Elijah Rogers*, Jan. 8.

The Prosecutor not appearing, the Prisoner was Acquitted.

186. *Thomasin Cooley*, alias *Looseby*, was indicted for stealing a Silver Watch and Silver Chain, value 5 l. and a Brass Seal, value 2 d. the Goods of *William Beal*, in his Dwelling House, Oct. 9. Acquitted.

187. *John Luggitt*, alias *Leggitt*, was indicted for stealing a half Firking of Soap, value 11 s. the Goods of *Thomas Frost*, in his Shop, Feb. 13. Guilty, 4 s. 10 d.

188. *John Hungerford* was indicted for stealing twelve Pair of worsted Stockings, value 44 s. the Goods of *Joan Wall*, Feb. 7. Guilty.

189. *Jane Shaw* was indicted for stealing a Silver Spoon, value 1 s. four Cotten Handkerchiefs, value 12 d. a Diaper Clout, value 6 d. and other Things, the Goods of *John Tustin*, Dec. 23. Acquitted.

190. *Thomas Taylor* was indicted for stealing a printed Linen Handkerchief, value 6 d. the Goods of *William Wiseman*, from his Person, Feb. 17. Guilty.

191. *William Conolly* was indicted for stealing two Geese, value 6 s. the Goods of *William Skerret*, Jan. 24. Guilty, 10 d.

192. *Elizabeth Fitzwalter* was indicted for breaking and entering the Dwelling House of *Robert Murden*, about the Hour of Eleven in the Forenoon, no one being in the said House, and stealing a Gold Ring, value 3 s. one ditto, with four Diamond Sparks, value 5 s. two ditto, set with Bristol Stones, value 3 s. a Silver Spoon, value 5 s. and several other Things, the Property of the said *Murden*, Feb. 15. Guilty, Felony only.

193, 194, 195, 196. *Thomas Mitchell*, *Jeremiah Murfey*, *Thomas Bridge* and *John Comfort*, were indicted for stealing eight Bushells of Coals, value 5 s. the Goods of *Robert Todd*, Feb. 15. All Acquitted.

Thomas Mitchell, *Jeremiah Murfey*, and *Thomas Bridge*, were again indicted for stealing a Bushel and a half of Coals, val. 14 d. the Goods of *Thomas Tickner*, Feb. 15. All Acquitted.

197. *Sophia White* was indicted for stealing a Holland Shirt, val. 10 s. and 6 d. the Goods of *Lionel Barclay*, Esq; Jan. 30. Guilty, 10 d.

198. *William Elsegood* was indicted for stealing three Mahogany Boards, val. 46 s. five Mahogany Frames for Chairs, val. 39 s. nine Deal Boards and a Leaf of Deal, the Goods of *William Hallet*, Jan. 28. Guilty.

199, 200. *Susannah Bewley* and *Ann Butler* were indicted for privately stealing a Silver Watch and a Copper Chain, val. 5 l. from the Person of *Francis Ray*, Feb. 8.

Ray. As I was coming home from a Friend's House the 8th of this Month, I met *Bewley*, and said,—How do you do?—I believe I might say *Molly* or *Polly*, and so I went directly cross the Way to make Water, and she follow'd me. When I had made Water, I miss'd my Watch, and she ran away to *Butler*, who stood at a Distance. I ran after her, and charg'd a Constable with them both. He desired me, (as the Women deny'd the thing) to search my Pockets; I did so, and found my Watch at the Bottom of my Breeches Side Pocket.

— *Birch*. I happen'd to be in the Watch-house when *Ray* and the Prisoners were talking about the Matter, and I saw *Bewley* have the Key of a Watch, and some Part of a Chain in her Hand; and she put it between the Folds of *Ray's* Coat, but I can't swear it belong'd to *Ray*. Both Acquitted.

201. *John Harrington* was indicted for privately stealing a Cambrick Handkerchief, val. 2 s. 6 d. from the Person of *Henry Bainbrigg Buckridge*, Esq; Jan. 31. Guilty, 10 d.

202, 203. *John Newel* was indicted, with *John Roach* not taken, for ripping and stealing 100 lb. Weight of Lead, val. 16 s. fix'd to a Freehold Messuage or Tenement of *Sir Robert Grosvenor*, Bart. Dec. 28. And *William Green* was indicted for receiving the same, knowing it to be stole, Dec. 29. Both Acquitted.

204. *John Newel* was again indicted with *Charles Maxwell* for stealing 100 Weight of Lead, val. 10 s, fix'd to the Freehold of *Sir Robert Grosvenor*, Bart. Jan. 22. Both Guilty.

205. *Robert Brethed*, alias *Irish Bob*, was indicted for assaulting *Joseph Keeling* on the King's High-way,

High-way, putting him in Fear, and taking from him 17 s. Feb. 3.

Keeling. On Saturday was a Fortnight, I was coming from *Barnet*, where I had been with Fish, and between *Barnet* and *Whetstone* I overtook the Prisoner, (he had been out too with Fish) but as I did not care to be in his Company, I staid behind him at *Whetstone* three Quarters of an Hour. When I came to *Finchley Common*, I found him again, and he left his Baskets, and came with me to *Mother Red-cap's* in *Hol'oway Road*, where we drank together; then I came away: He follow'd me, and I staid under a Hedge till he pass'd me; and when he was gone, I went down the Road, but between *Lower Holloway* and *Islington Work-house*, I saw a Man (a Stranger) on one Side of the Road, and the Prisoner on the other. The strange Man caught hold of my Arm, and demanded my Money in a Minute; I told him, I had no Money but what I got very hardly, and I struck him with a Lathing Hammer I had in my hand; upon this the Prisoner came up, and struck me, and they both fell upon me, and knock'd me down, and one of them clapp'd his Foot on my Face, then they rifled my Pockets. 'Twas about Eight o'Clock, and was Moon-light. I knew his Voice, and his Face, and his Cloaths: He had a strip'd Waistcoat, and a cropp'd Hat.

William Bath deposed, That the Prosecutor told him he was robbed by the Prisoner and a Person unknown, and a Warrant being obtained from Justice *Poulsen* against him, he took him, and shewed him the Warrant, but while he was gone for a Constable, the Prisoner got away.

Prisoner. He swears this against me, because he and I had a Quarrel, and I beat him.

George Thompson deposed he saw the Prosecutor with Black Eyes, and upon his asking him how he came by them, the Prosecutor told him, he had been robbed by the Prisoner, and the Man at *Mother Red-Caps*, (the last Witness) and though he had a Warrant against him, yet he made it up for a Crown.

John Shield, — *Gerton*, *John Brown*, — *Hughes*, — *Coxal*, and others, gave the Prisoner a good Character. Acquitted.

206. *James Newby* was indicted for breaking and entering the Dwelling-house of *Robert Pollard*, between One and Two in the Night, and stealing a Gold Watch, val. 10 l. a Pair of Doe-skin Breeches, val. 5 s. three Portugal Pieces of Gold, val. 5 l. 8 s. a Guinea, and 15 s. Jan. 9. Acquitted.

207. *Richard Foster* was indicted for breaking and entering the Dwelling-house of *Mary Ormond*, about Seven at Night, and stealing twelve Pewter Dishes, val. 24 s. four Pewter Plates, val. 2 s. a Clock, val. 20 s. and a Jack, val. 2 s. 6 d. Jan. 17. Guilty, 39 s.

208. *William Duncalf* was indicted for breaking and entering the Dwelling-house of *William Armerod*, about Six at Night, and stealing a Silver-laced Hat, val. 5 s. a Portugal Piece of Gold, val. 3 l. 12 s. nineteen Guineas, a Half-Guinea, and 40 s. in Silver, the Goods and Money of *Luke Scargill*, in the said Dwelling-house, Octob. 21. Guilty, Felony only.

209. *William Gumb* was indicted for stealing a Wooden Box, val. 2 s. 6 d. a Calamanco Gown, val. 10 s. 6 d. a Camblet Gown, val. 12 s. a Pair of Leather Shoes, val. 1 s. three Pair of Worsted Stockings, val. 4 s. 6 d. a Pair of Leather Clogs, val. 2 s. 6 d. a Silk Handkerchief, val. 2 s. 6 d. and four Linnen Aprons, val. 5 s. the Goods of *Ann Store*, Jan. 29.

The Prisoner prov'd to be a Hackney Coachman, and the Prosecutrix a Country Girl; she call'd a Coach in *Piccadilly*, to carry her Box to a Friend's House; the Prisoner and another Man were standing together, and put her and her Box into the Coach, then he went into the Coach himself, and bid his Companion drive. As they were going along, he persuaded her to stop at the *George* in *Holborn*, under Pretence of helping her to a Place; she consented, and went into the House with the Prisoner, his Companion being to watch the Box in the Coach, but while the Prosecutrix was with the Prisoner in the House, the Driver carry'd off the Box, and was no more heard off. The Prisoner told a Witness, he drove for one *Smith*, at the *Bell Savage Inn*. Acquitted.

210. *Benjamin Rivers* was indicted for stealing a Silver Mug, val. 30 s. the Goods of *Nebe-miah Skeldon*, Feb. 1st. Guilty, 4 s. 10 d.

211, 212, 213, *John Hughes*, *Thomas Cock*, and *George Strait*, were indicted for stealing 40 lb. of Cochineal, val. 20 l. the Goods of *Philip Worth*, Jan. 5. All Guilty.

214. *John Bosworth* was indicted for stealing a Fustian Frock, val. 2 s. the Goods of *Thomas Towers*, Feb. 10. Guilty 10 d.

215. *Lucy Brown*, alias *Lucy Redding*, was indicted for stealing a Linnen Apron, val. 3 s. a Cambrick Handkerchief, val. 2 s. and a Pair of Pattens, val. 13 d. the Goods of *Thomas Ellison*, Feb. 10. Acquitted.

216. **Thomas Whitehead** was indicted for stealing 19 lb. of Lead, val. 18 d. from off a Dwelling-house in the Possession of *Richard Clark*, Feb. 14. Acquitted.

217. **Mary Evans** was indicted for stealing a strip'd Cotton Gown, val. 4 s. a strip'd Calamanco Gown, val. 3 s. and two Linnen Shifts, val. 2 s. the Goods of *Joseph Hughes*, Feb. 7. Guilty.

218. **James Woodman** was indicted for stealing 25 lb. of Lead, val. 3 s. the Goods of *Robert Norris*, Feb. 14. Acquitted.

219. **Matthias Berry** was indicted for stealing 14 lb. of Rope, val. 12 d. the Goods of *Thomas Daniel* and *Matthew Arnolds*, and 99 lb. of Rope, val. 4 s. the Goods of Persons unknown, Jan. 20. Guilty, 10 d.

220. **Elizabeth Lowder** was indicted for stealing two Pair of Worsted Stockings, val. 2 s. 6 d. the Goods of *Thomas Harrison*, Feb. 12. Guilty.

221. **Brogden Doplett** was indicted for stealing 13 s. and 6 d. from the Person of *Edward Goodman*, Feb. 9. Acquitted.

222. **John Cressy**, Pawnbroker, was indicted for receiving a Coat, a Gown, and several other Things, knowing them to be stolen, Oct. 24. Acquitted.

223. **John Boyce** was indicted for stealing two Pieces of Leather cut out for Boots, and a Piece of Boot Leather, the Goods of *Thomas Madgewick*, Feb. 20. Guilty.

224. **J — R —** was indicted for stealing 144 Yards of Ferret, value 16 s. 3 Pound of Nunn's Thread, value 24 s. 2 Pound of Belladine Silk, value 36 s. the Goods of *George Comber*, in his Shop. Guilty, 4 s. 10 d.

225. **Henry Davis** was indicted for stealing 2 Sattin Bed-curtains, value 5 s. a Tabby Gown, value 2 s. 6 d. a Lutestring Gown, value 2 s. 6 d. and a Marble Stuff Chest, value 10 s. the Goods of *James O'Hara*, Esq; commonly called Lord Tyrawley of the Kingdom of Ireland, Feb. 16. Guilty.

226, 227. **Ann Gordon** and **Ann Allen** were indicted for stealing a Calamanco Gown, a Stuff Gown, a Quilted Coat and other Things, the Property of *William Mackintosh*, Feb. 8. Both Guilty.

228. **Robert Rogers** was indicted for stealing a Pair of Shoes, value 4 s. 6 d. the Goods of *Robert Ashbridge*, Jan. 26. Acquitted.

229, 230. **John Rogers** and **Thomas Davis** were indicted for stealing ten Four-bushell Hempen Sacks, value 7 s. 6 d. the Goods of *Mary Knelham*. Acquitted.

231, 232. **Henry Godwin** and **Thomas Wood** were each of them indicted for wilful

and corrupt Perjury, in a Deposition relating to certain Articles exhibited in the Ecclesiastical Court. But an Objection being made by the Council for the Defendants, to a Writing, offer'd to be read in Evidence as a Record of the Ecclesiastical Court; the Objection being allow'd, the Prosecutors could not proceed. Both Acquitted.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 7.

*Peregrine Audley,
Edward Campbell,
Ashby Johnson,
Henry Johnson,*

*James Lawlor,
James Leonard,
William Udal;*

BURNT in the HAND, 5.

*Abel Bum,
John Boyce,
William Elsegood,*

*Elizabeth Fitzwalter,
Benjamin Rivers.*

WHIPPED, 3.

*Elizabeth Gale,
Grace Morris,*

Robert Rogers.

TRANSPORTATION, 27.

*Ann Allen,
Matthias Berry,
Elizabeth Booth,
John Bosworth,
Thomas Cock,
Thomas Compton,
William Connelly,
John Crockat,
Henry Davis,
William Duncalf,
Mary Evans,
Richard Fisset,
Ann Gordon,
James Grimson,*

*John Harrington,
Charles Haswell,
John Hughes,
John Hungerford,
Richard Keeble,
Elizabeth Lowder,
John Luggit,
John Newel,
Hugh Postlewait,
J — R —,
George Strait,
Thomas Taylor,
Sopbia White.*

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King **GEORGE**.

The next ensuing Sessions to begin on Wednesday the 2d of May.

THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,
FOR THE

CITY of LONDON,

AND
County of MIDDLESEX,
ON

WEDNESDAY the 2d, THURSDAY the 3d, FRIDAY the 4th,
and SATURDAY the 5th, of May.

In the 12th Year of His MAJESTY's Reign.

BEING THE

Fourth SESSIONS in the MAYORALTY

OF THE

Right Honourable *Micajah Perry*, Esquire,
LORD-MAYOR of the CITY of LONDON

NUMBER IV.

L O N D O N:

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P R O C E E D I N G S

AT THE
Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayor of the City of London; the Right Honourable the Lord Chief Justice LEE, Mr. Baron PARKER, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City, and County of Middlesex.

London Jury.

Robert Bampshire,
William Hoggard,
John Nemes,
William Graves,
William Chamberlen,
George Pinkney,
William Whipham,
John Buckland,
Pennington Smith,
Richard Moss,
Edward Holloway,
Nicholas Cook.

Middlesex Jury.

Walter Lee,
John Perry,
Andrew Moran,
John Coppendale,
William Lewis,
John Reynolds,
Francis Threadgold,
Francis Powell,
Samuel Lewis,
Ralph Tesh,
Roger Blagrove,
Joseph Lydall.

234. William Kirkwood, of St. John the Evangelist, wa indicted, for that he, not having God before his Eyes, March the 10th, in and upon James Hunt, did make an Assault; and with both his Hands, the said Hunt, on the Breast, Head, Face, Stomach, Sides and Back, did strike and beat, &c. and on the Ground did cast and throw, giving to him the said Hunt, as well by striking, &c. as by casting him to the Ground, &c. several mortal Wounds and Bruises, of which, from the 10th of March to the 17th, at the Parish above-mentioned, and at St. Margaret's, Westminster, he languished, and languishingly lived, and then dy'd.

He was a Second Time indicted on the Coroner's Inquest.

Hannah Ladyman. The Prisoner at the Bar came into our House with his Fellow-Servant, to drink a Pot of Beer; when the Reckoning was to be paid, the Prisoner desired his Companion to lend him a Penny. The Deceased said, damn you, he sha'n't lend you a Penny. Why would you impose upon the Man? The Prisoner said, he did not want to impose upon him, he only desired him to lend him a Penny, and would give it him again. Damn you, says the Deceased, he shall not lend you a Penny. The Prisoner then asked the Deceased if he could not keep his own Company? Upon which the Deceased damn'd his Bddy and Eyes, and said he would lick him. The Prisoner told him, he did not want to be concerned with him. But, says the Deceased, damn you I will give it you; — I won't make a Disturbance in the House, but I'll go out into the Street, and wait for you; if I wait all Night I'll do your Business, and he accordingly paid Two-pence, and went out of the House. The Prisoner staid in the House half an Hour after the Deceased was gone, and then he went out. Presently I heard a great Noise in the Street, and found them fighting, but I did not see the Beginning of the Battle. This was on a Saturday, and after the Battle was over, the Deceased came into the House, and said, — Damn his Eyes and Body, — he would fight him again on Monday Morning.

Prisoner's Q. Did I give him any Affront?

Ladyman. No; none at all, but desired the Deceased to be quiet and easy. I never saw the Prisoner behave any otherwise than quietly and civilly.

John Grace. I saw them both in the Publick House, but I can't say how the Quarrel began: And I saw them afterwards fighting in the Street, but

but I can't tell which of them struck first. There was a Cut on the Deceased's Head, and there was Blood upon them both.

Thomas Davis. I saw them fighting in the Street; they were both bloody, and had several Falls, and Blows pass'd on both Sides. The Deceased had a Cut on his Head, which I believe was occasioned by a Fall on the Stones.

Mary Wimpers gave much the same Account.

Catherine Geary. The Deceased came Home that Saturday Night, in Liquor; (as I was inform'd.) The next Morning he complained of his Hip, and Side. His Eyes and Face were black; and he said he had been fighting. I asked him if he was not a Fool, to come off by the worst? Well, says he, if I am better, I will do for him again. He fought on the Saturday, and died the next Saturday.

Hester Holt. The Deceased was brought to our Workhouse, as a Man ill of a Fever, (in a deplorable Condition) on Friday.

Catherine Jones. The Deceased was my Brother. I went to see him while he was ill, and ask'd him how his Illness came; he told me,—by Fighting; upon which I turn'd down the Bed cloaths, and saw his Neck, Shoulders, Side and Elbow sadly bruised and mortify'd. I ask'd him, who he had fought with; he said, ——— with an Irishman,—the Prisoner at the Bar; that he was helping to unload four Loads of Beer, and the Prisoner was to give him 6 d. but when the Work was done he would give him but 2 d. so they went to Fighting.

Mr. Westbrook, (Surgeon.) The Deceased was sent to the Work-house, as a Person in a Fever; at the Time of his coming there, he was senseless and delirious. After his Death, the Body was open'd, and there were several Marks of Violence upon it: He had been very much bruised, and the Bruises might hasten his Death; for he was in an ill State, his Bowels were bad, and his Body was very morbid. In all Probability he could not have liv'd but a little Time longer.

William Topliff. I was drinking that Evening with the Prisoner, and when he came to pay the Reckoning, he desired me to lend him a Penny, to prevent his changing a Shilling. The Deceased call'd the Prisoner a Black-guard Dog, for spunging upon a Man, when he saw he was in Liquor, and said, He deserv'd to have his Brains knock'd out: I told him, he was not able to knock the Prisoner's Brains out. After the Deceased had declared, he would fight the Prisoner, he went out; and in about ten Minutes afterwards,

I went out, and the Prisoner follow'd me. As soon as I got into the Street, the Deceased struck me down: I lay some Minutes; and the first Thing I saw when I was recover'd and got up, was the Deceased naked, fighting with the Prisoner, who had his Cloaths on. I was knock'd down, so can't tell who struck the first Blow.

Charles Hanford. I was drinking in the House where the Quarrel began, but did not mind what Words pass'd. The Deceased went out first, and waited for the Prisoner's coming out. *Topliff*, (the last Witness) went out next; the Deceased struck him; and the Prisoner coming out, he (the Deceased) struck him too, and they fell to fighting. People were going to part them, and the Prisoner would have left off, but the Deceased would fight again, and ran after the Prisoner; then they fought again, and the Deceased had a Fall, after which he ran after him to fight again, but the Prisoner ran away from him.

Evan Williams saw the Prisoner coming out of the House, and stopp'd to speak to him. While he was talking to him, the Deceased came up, and pull'd off his Cloaths, saying, —He would fight the best [Man] of them: He advis'd him to go home, and told him, he was not able to fight; the Prisoner told him, he was going home, and did not want to fight, but the Deceased stripp'd, and would fight; upon which the Witness told him, If he would fight, he must, and so he [the Witness] went about his Business.

The Jury acquitted the Prisoner, and found that *Hunt* dy'd a natural Death.

235. *Anne Hayes* was indicted for stealing 7 s. and 6 d. the Money of *Philip Box*, from the Person of *Eleanor* his Wife, Mar 4. Guilty, 10 d.

236. *John Tipping* was indicted for stealing a Silk Handkerchief, val. 3 s. from the Person of *Hugh Brodu*, Esq; Mar. 9. Guilty, 10 d.

237. *Sarah Barnes* was indicted for privately stealing a Silver Watch, and Silver Seal, val. 7 l. from the Person of *William Hutchinson*, Apr. 2. And,

238. *Margezy Akers* for receiving the same, knowing it to be stole, Apr. 2.

William Hutchinson. On the 2d of April I was coming by *Spring Gardens*, at the Bottom of the Park, pretty much in Liquor, and I met with the Prisoner *Barnes*, and another Woman not taken; I went with them to the *George Tavern* in *Spring Gardens*, and from thence to the *Cross Keys* in *St. Martin's Lane*; while we were there, *Barnes* came and sat in my Lap, and took my Watch:

R 2

I felt

I felt it in my Pocket just before, but I miss'd it presently after she had sat in my Lap, and I told the Prisoner I had lost it; upon which she went to the other Woman, and that other Woman ran away; so I laid hold of the Prisoner; and afterwards, upon making Enquiry after my Watch, this Evidence [Watkins] brought it to me.

James Watkins. The Prisoner *Akers* lives in *Lumsley Court* in the *Strand*; I happen'd to be with a Friend next Door to *Akers's*, and she (*Akers*) came in, and enquired for *George Groves*, and said, She wanted to get this Watch pawn'd. *Groves* happen'd not to be at Home, so she gave it me, and went with me to the *Rose* in *Long-Acre*; we both went in, and she asked three Guineas upon it, the Pawnbroker would lend but two; then she said, he must let her have Two Guineas and a half. He refused, and we were at the Door coming away; but at last she turned about and took the two Guineas. The next Morning I informed the Prosecutor that his Watch was pawn'd; he gave me Money to redeem it, and I returned it to him. This is the Watch.

Hutchinson. This is the Watch I lost:

Watkins. I had heard that Mr. *Hutchinson* had lost his Watch, and by going sometimes to *Akers's* House, I saw it; she shewed it me, and said, that was the Watch. She had been talking to me several Times before about it, though I don't know how she came to do it, for I had no Concern in it, — no, none at all. I heard her say, Mr. *Hutchinson* had been robbed of his Watch, and that this was the Watch.

Prisoner *Akers.* Ask him whether he did not come to my House and call for a Pint of Wine, and not having Money to pay for it, whether he did not pull out the Watch himself, and desire me to go with him to pawn it, that he might pay me a Shilling for the Wine, and another Shilling for lying in my House all Night?

Watkins. She shewed me the Watch, and went with me to pawn it, for Fear the Pawnbroker should refuse to take it in from me. She herself asked the Pawnbroker to lend her the Money upon it.

Mr. Frazer. This Woman (*Akers*) keeps a most notorious House, in the Parish of *St. Martin's in the Fields*; a Harbour for Thieves. She was brought before me, she made no Manner of Defence.

Hutchinson. She owned before the Justice, that she received the Money for the Watch, and was very sorry for it.

James Chapman. I was in *Akers's* House about a Month ago, and the Evidence [Watkins] came in, and told her, he wanted a Trifle of Money; and if she would lend him a little Matter upon a Watch, he said, he would pay her the Rent which was due to her, from a Friend of his who lodged in a House which she rented at next Door. She refused to lend him Money upon it, (I believe she had none to lend,) but she agreed to go with him to a Pawnbroker's; and I staid in the House till she and the Prisoner came back; and then I heard her say, the young Fellow has pawned the Watch for two Guineas in *Long-Acre*. He did not stay 3 Minutes in the House before they both went out, in order to pawn it. *Akers* keeps a private House, but I have often drank Punch there, and the Evidence drank something when he came back, I did not see him drink any thing before.

Akers. He had two Pints of Wine before we went out with the Watch; I had nine Shillings out of the Money he received at the Pawnbroker's, which was due to me from *George Groves*, a Footman, who is an Acquaintance of *Watkins*.

Watkins. I never saw this Man (*Chapman*) in the House, nor have I ever drank with him: Both Acquitted.

239. *Abraham Nash* was indicted for assaulting *Daniel King* on the King's Highway, putting him in Fear, and taking from him a Pair of Leather Shoes, value 2 s. and 4 s. 5 d. in Money, April 12.

Daniel King. On the 12th of *April*, between Ten and Eleven o'Clock, I was going from the *Talbot Inn* in the *Strand*, with a Basket in my Hand, towards *Kensington*; and between *Knights-Bridge* and *The Half-way House*, I saw two Men about a hundred Yards from me. The Moon shone bright, and they both passed by me about a Foot. Then the Prisoner turned about and came on my Left Hand; the other on my Right. The Prisoner struck me with the But End of this Pistol on the Stomach; the other laid his Pistol on the Ground, about two Feet from me, and then he knelled down, and pulled off my Shoes; the Buckles he gave me again, and said, damn you, take them again, — they are good for nothing. Then he pulled off my Breeches, and turned them inside out. The Prisoner demanded my Watch; I told him I had none. Then they damned me, and asked me the Reason why my Breeches Pockets were sewed up? I told them there was some Money in one of the Pockets, and

and they searched it, and took from thence three Shillings, two Six-pences, and about Five-pence Half-penny, or Six-pence, in Copper. Then they searched my Basket, and turned the Straw out of it, but hearing some People coming up, they both ran away. My Face was then towards *Kensington*, so I turned about to follow them, but my Breeches being about my Heels I could not run; but as the Moon shone very bright, I could see them run, 'till they were fifty Yards from me. I saw the Prisoner's Face, and am positive to him; he had a Handkerchief about his Neck, and the same blue and white Striped-Waistcoat that he has on now: His Hat was cocked, and his Cap was pulled a little over his Eyes, but he was so near me, that I could see his Face very plain. As I followed them, crying, Stop Thief! — I am robbed! Mr. *Evans* met me, and asked me what was the Matter! I told him I had been robbed of my Shoes, and the little Money I had about me, by two Men. A Woman coming by told me, one of them had run down a narrow Passage, not far off; but I said, as I had saved my Life, I would make the best of my Way Home, and would borrow a Pair of Shoes at the *Half Way House*. When I had got within a hundred Yards of that House, I met with Mr. *Gilpin*, who asked me what made me go so uneasy? I told him I had been robbed, I described the Men to him, and went directly Homewards; so I can't tell how the Prisoner was taken.

Thomas Colcot. My Brother, my Apprentice, and I were coming from *Kensington*, on *Thursday*, *April 12*, between ten and eleven o'Clock at Night, and between the *Half-Way House* and *Kensington*, we met the Prosecutor, and two Men with him. I said, — *King!* What the Devil do you do without your Shoes! Why, I have been robbed of my Shoes and all my Money, and one of them, says he, had a Striped-Waistcoat on. I was in a Fright for Fear we should be robbed, so we pushed on as hard as we could, and just as we came to *Knights Bridge*, in a Bottom, there stood the Prisoner, and two Men on each Side of him. I thought we were beset, and made a little Stand, but one of the Men called me by my Name, and asked me if I had heard of this Robbery? I told them, I knew the Person very well; and I asked them if they knew that young Fellow in the Striped-Waistcoat? No, they said; nobody knew him. I asked him who he belonged to, and where he lived? He told me he lived in *Cloth fair*, and was going to *Kensington-Gore*, to see his Sweetheart, one Mrs. *Green's* Daughter. I told him it was improper to go a

courting without a Coat; he reply'd, he was a Lamp-lighter, and seldom wore a Coat. I said I am afraid you are the Man that committed this Robbery, for you answer *King's* Description, and somebody holding up a Candle and Lanthorn to his Face, he coloured prodigiously. God forbid, says I, that I should accuse an innocent Man, but you are like the Person that *King* described. O Lord! (says he) I will go along with you, I won't offer to go away. I thought proper he should be taken into Custody, and he was delivered to the Constable and Beadle.

Prisoner. Was it a very light Night?

Colcot. It was Moonlight, but not very bright: Not light enough to distinguish a Man's Face.

Edward Underwood, Beadle. On the 12th of last Month I was going my Rounds, three Quarters after Ten o'Clock, and at the Corner of *Nag's-Head Court*, I saw the Prisoner, and heard him ask a Man if he had seen any Body run that Way, for a Person (says he) has been robbed a little higher? I told him no one had run the Way I came, and I enquired which Way the Man was gone who had been robbed? The Prisoner said he was gone towards *Kensington*, and he very readily went with us a pretty Way after the Prosecutor, on the Causeway, by *Hyde-Park Wall*; then we returned, and the Prisoner with us, searched several Courts. As we were searching, I asked the Prisoner his Name; he told me 'twas *Abraham Nash*; that he was a Lamp-lighter; that he lived in *Cloth Fair*; that he courted a Girl at *Kensington-Gore*, and was then going thither. He told us he was about an hundred Yards from *King* when he was robbed, and that upon his [*King's*] crying out, he turned back and pursued the Thieves, with *King* and two other Men, as far as *Bear Court*, and then *King* not caring to go any farther, he gave over the Pursuit likewise. Presently after, I was saying — it was a surprizing Thing the Thieves should get off, and we all so near, and upon that the Prisoner began to move away, and was got about 10 Yards from us, when Mr. *Colcot* came and asked us, if any of us knew the Prisoner? Telling us at the same Time, that he answered the Description that *King* had given of one of the Men, therefore he spoke to the Prisoner, and after he had asked him several Questions, I took him into Custody, and we went with him to *King*, at *Kensington*, and he said directly, — this is one of the Men that robbed me, — this was the Man that held his Pistol to my Breast, and desired me to take Charge of him. These Shoes we found next Morning.

King. They are the same I was robbed of.
George Whiting. I was going my Rounds about Two o'Clock, and found a Coat upon the Threshold of a Door, near the *Queen's Head*, at *Knights-Bridge*, and this Pistol under the Coat. It has a Crack on each Side the Trigger, and was loaded very high. **Mr. Deveil** drew the Charge this Morning, and *this is the Ball* that was in it.

Mr. Deveil. The Pistol has been in my Custody ever since the Prisoner was brought before me. I drew it this Morning, for it was loaded so high, that I was afraid some Accident might happen.

Samuel Watts. Three Weeks ago, (on a *Thursday*) the Prisoner and I made an Agreement to go out a-robbing. Accordingly we set out from *Crown Court*, in *Chick Lane*, to the Wall between *Knights-Bridge* and *Kensington*. We stood Two Hours (I am certain) by the *Half-Way House*, and let several People pass, who we thought were not worth our Trouble to rob; and then I asked him if we should go Home? No, he said; he wanted Money for the Holidays, and would have it from somebody; so we resolved to attack the first Man we met, which happened to be this **Mr. King**. I was a little way a-head of [before] the Prisoner, when he demanded his Money and clapped his Pistol to his Breast, but upon his stopping the Man, I turned back, and while he stood with his Pistol in that Posture, I kneeled down and took off the Prosecutor's Shoes, because the Prisoner said he wanted a Pair, so I took them off, — as he bid me. The Prisoner asked me if the Buckles were Silver? The Prosecutor said, — no, they cost him but a Groat, so I gave him them again. When we had got every thing, we went off, and met two Men, and when we had passed them we ran faster. I bid the Prisoner keep along with me; he would not; but ran away from the Causeway down the Middle of the Road, and fell all along. But I observing a Woman to look out of the Window, kept strait along, till I came to a little Turning by the *White-Bear*, and I ran down that Turning, and got over a Wall into *Hyde-Park*, and so into *Grosvenor Square*. Then I went Home, and saw no more of the Prisoner till I was taken. The Prisoner had two Striped-Waistcoats on, a white Apron, a Cotton-Cap, a white pair of Breeches, and an old Coat, with a plush Cape.

Thomas Cutter. The Coat which the Watchman found, the Prisoner owned to be his, and desired to have it because he had nothing on but a Waistcoat. **Mr. Deveil** let him have it.

Mr. Deveil. The Prisoner deny'd the Coat to be his when the Watchman brought it; — but finding the Evidence strong, he owned it: And said he lent it the Evidence that Night to rob in. The Evidence and the Prisoner were both before me at that Time.

Defence. Catherine Sommerly. Once or twice I have seen the Evidence in a ragged Coat, with a Sort of a Plush-Cape to it. Once he came to our House in it, and said he was going to a Master, to treat with him about lighting his Lamps. Another Time he came in it, and staid half a Day. I live in *Short's-Gardens*, *Drury-Lane*.

Mr. Deveil. When the Prisoner was brought before me, he was desirous of being made an Evidence, and if the Prosecutor had not sworn positively to him, I should have consented. He confessed this Robbery, and eleven or twelve more, and accus'd the Evidence of being an Accomplice; upon which I granted a Warrant to take him, [the Evidence] but the Prosecutor could swear only to the Prisoner. I took his Confession in Writing, and only told him that Confession should not be produced against him. I said nothing to him about his Confession, till after **King** had sworn to him. Guilty, *Death*.

240. **Elizabeth Etherington** was indicted for stealing two Gold-Rings, set with *Brissol* Stones, value 10 s, a Gold Necklace and Locket, val. 15 s. three Pounds eighteen Shillings in Money, and several other Things, the Property of *John Moreton*, in his Dwelling House, *March 16*. Guilty 39 s.

241, 242. **Robert Daby** and **Thomas Foster** were indicted for stealing 60 lb. of Tobacco, value 40 s. the Goods of Persons unknown, *April 18*. Both Guilty, 4 s. 10 d.

243. **Henry Carey** was indicted for stealing Eighteen Ells of Linnen Cloth, value 50 s. the Goods of *Edward Byre*, *March 20*. Guilty.

244. **Brian Burrough** was indicted for stealing two Pair of Leather Shoes, value 6 s. and two Leather Shoes, value 1 s. the Goods of *John Edwards*, in his Shop, *Feb. 24*. Guilty 4 s. 10 d.

245, 246, 247. **Jane Smith** and **Mary Corker** were indicted for privately stealing a Gold Watch and Gold Seal, value, 3l. from the Person of *Edward Spragg*, *April 2*. And

Thomas Smith for receiving the same, knowing them to be stole.

Edward Spragg. About two o'Clock in the Morning, the 2 d of last Month, I was coming from

from the *King's Arms Tavern* in the *Strand*, and at *Charing Cross*, at the Entrance of some Court thereabouts, I met with the two Women at the Bar. It was dark, so I have no Knowledge of their Faces, and I was pretty much in Liquor, so I can't answer for it, how far I was prevailed upon to listen to them. I was going to my Lodging in *Westminster*, and either in the Street, or in the Court, one of them took an Opportunity to pick my Pocket. I suspected them, on their endeavouring to run away, so I seized *Fane Smith*, and charged her with picking my Pocket: She deny'd it, but I held her fast 'till I got to *Whitehall*, and then I demanded the Assistance of some Soldiers, and they carried her to the Round-House in *St. Margaret's Church Yard*, where she was searched, but to no Purpose, and she deny'd the Fact. Presently after, the Beadle, or Constable went out, and took *Mary Corker*, and I believe she was search'd, and nothing being found upon her, she deny'd it likewise. Next Morning this Man, (*George Swindell*) came to me and told me he believed he could tell me where my Watch was; and that I must get a Warrant for the Man that had it was a Soldier upon Duty on the *Parade*. I got a Warrant for him, (*Thomas Smith*) and the Officer delivered him up to us. At first he deny'd knowing any Thing of it; but when he was before the Justice, and was ordered to be searched, he said he would not give us that Trouble, he had the Watch about him, and produced it directly. When the two Women were before the Justice, *Fane Smith* owned she picked my Pocket of it: She said she took it out of my Pocket.

Fane Smith. I will take my Tryal when my Husband is cleared; for he was abed and asleep when the Thing was done. Did not you pick us both up, and ask us where we were going? And did we not tell you, we were going where we could pick up a Sweetheart? Upon which you told us you would give us a Glass of Wine in a convenient Place, and make us a Present.

Spragg. I own I met them in the *Strand*, but 'tis to no Purpose to ask me any Questions; for, as I hope for Mercy, I can't tell what I said to them.

George Swindell. I am a Barber, and shaved and powdered *Thomas Smith*. He came into my Shop that Morning about Seven o'Clock, and pulled this Watch out of his Pocket, and I looked at it.

Spragg. This is my Watch.

Swindell. This is the Watch the Prisoner

(*Thomas Smith*) shewed me. I saw him afterwards under Arms on the *Parade*, and having learned at the Round-house that a Gentleman had lost such a one the Night before, I went to Mr. *Hilsley*, the Constable, and he directed me to Mr. *Spragg*.

John Hilsley. On Monday Morning, April 2, between Two and Three o'Clock, this Gentleman brought *Fane Smith* to the Watch-house in *St. Margaret's Church-Yard*, and charged her with picking his Pocket of a Gold Watch in a Court somewhere about *Charing-Cross*. I understood by *Fane Smith*, 'twas done in *Northumberland Court*. She insisted upon it, that she had it not, and that several other Women were with him, and if it was lost, somebody else had it. The Gentleman was positive that only she and another Woman were with him; upon which I purged her, to know who that other Woman was, and at last she said if it was any body, 'twas *Mary Corker*, and described her to us. We then secured her, and went out to see after *Corker*; and hearing by a Watchman, that *She* and *Thomas Smith*, the Soldier, were just gone down an Alley, we went after them, and seeing a Man and a Woman before us, I stepped after the Woman, and caught hold of her, [*Corker*] but the Soldier ran away as hard as he could. We carry'd her to the Watch-house and searched her, but did not find the Watch. However we locked *Her* and *Fane Smith* up in the Round-house 'till Morning; and about Nine o'Clock *Swindell* (the Barber) came and inform'd me he had seen such a Watch in *Thomas Smith's* Possession, so we got a Warrant and took him off the *Parade*; and at Justice *Manley's* he pulled out the Watch, and said he would not give us the Trouble to search him. After this we sent to fetch the two Women, and at an Alehouse (where we waited 'till the Justice could hear us) *Fane Smith* confessed she took it out of the Gentleman's Pocket, — yes; damn her Soul she did, and she did not value it, — she had kept a House before now, at *Antigua*, she said; and (snapping her Fingers) she did not value being sent there, nor going abroad, provided she was not sent to *Virginia* or *Maryland*. She owned that while the Gentleman was fond of her, she took his Watch out of his Pocket, and convey'd it to *Corker*.

Ann Swindell. The next Morning after the Fact was committed, I going to *Totbil-street*, and seeing a Mob about the Round-house, I made up like one of the Foolish Women, to see what was the Matter: I saw *Fenny Smith* at the Window, and

and *Molly Coker* was asleep; I bid *Jenny* wake *Molly*, and then I asked them, what they were there for? *Jenny Smith* took a Gold Watch from under her Petticoats, and a black String and a Seal and Key out of her Stocking, which she shew'd me, and said,—Is not this a noble Watch? And *Thomas Smith*, her Husband, standing at the Window, she gave it to him, and said,—My dear *Tom Smith* be true to me; he took the Watch from her, and said,—D-mn my Soul if I am not, then he put it into his Pocket.

Jane Smith. This Woman came to the Round-house, to ask *Molley Coker* for her Cloak, and she told us she was going for two Gallons of Liquor, and would send us a Dram; and she said, that as we had been searched, we might keep the Watch, and might make the most of it; so she took it away with her in some foul Linnen, and carry'd it to my Husband. The Gentleman that pick'd us up told us he had no smaller Money than a Moldore, and must trust to his Honour; I found the Watch in my Cloaths, and as he was so dishonourable as to cheat us, I thought I would not give it him again.

Thomas Smith. I met Mrs. *Swindell* that Morning in *Green's Alley*, and she desired me to carry a dirty Cap and an Apron, and the Watch, to her House: She told me a Man had left it with her for a Pledge; so I took it and went to the Barber's, and from thence to the Parade, where I was taken.

Ann Swindell. On my Oath, *Smith* gave it her Husband through the Window.

Jane Smith, Guilty, Death. *Thomas Smith*, Guilty. *Coker*, Acquitted.

248. *Eugh Cunningham* was indicted for assaulting *William Linton* on the King's Highway, putting him in Fear, and taking from him a Hat, val. 2 s. 6 d. and a Peruke, val. 5 s. Mar. 4. Guilty, single Felony, val. 10 d.

He was a second Time indicted for assaulting *Mary* the Wife of *Owen Tudor*, on the King's Highway, putting her in Fear, and taking from her a Leghorn Hat, val. 2 s. Mar. 4. Acquitted.

249, 250. *John Rider* and *Little George* were indicted for breaking and entering the Dwelling-house of *William Briggs*, about Eight at Night, and stealing 1 Peruke, val. 20 s. the Goods of *Agar May*, 1 Peruke, val. 5 s. the Goods of *William Briggs*, and 1 Peruke, val. 1 s. the Goods of a Person unknown, Mar. 13. Both Guilty, Felony only.

251. *Richard Sedgewick* was indicted for stealing a Mare, of a black Colour, val. 3 l. the

Property of the Right Hon. *Richard*, Earl of *Burlington*, Jan. 23.

He was a 2d Time indicted for stealing a Gelding, of a brown bay Colour, val. 4 l. the Property of *John Hooper*, Mar. 20.

He was a 3d Time indicted for stealing a Gelding, of a grey Colour, val. 4 l. the Property of *James Gladman* and *Samuel Ivory*, Jan. 16.

He was a 4th Time indicted for stealing a Gelding, of a Chestnut Colour, val. 3 l. the Property of *Richard Hall*, Apr. 4. And

He was a 5th Time indicted for stealing a Gelding, of a brown bay Colour, val. 4 l. the Property of *George Edwards*, Feb. 2.

John Goring. I am Servant to the Earl of *Burlington*. On the 24th of *January* last, I mis'd a black Mare out of his Lordship's Pastures in the Parish of *Chiswick*. I made all the Enquiry I could after her, but could hear nothing of her, till the 3d or 4th of *April*: The Prisoner was then taken upon Mr. *Hall's* Horse, and being sent to the Round-house, I went to him, and asked him, If he knew any Thing of my Lord *Burlington's* Mare? He said, if I would let him come out, and go with him to a Publick House, he would tell me what was become of her, and some other Horses: Upon this we took him to an Ale-house, and there he told me the Mare was sold to a one-eyed Farmer at *Rocheester*. I went thither, and found her with one *Thomas Wood*, who told me he bought her at *Maidstone Fair*, and that she was there enter'd in the Toll-book. I went to *Maidstone* to be satisfied; she was enter'd, and the Seller's Name in the Toll-book was not *Sedgewick*, but *Seddock*. The Prisoner confess'd he took her out of the Meadows, with the Assistance of one *Thomas Jones*.

Prisoner. 'Tis the first Fact I ever did in my Life: I always behaved handsomely, and work'd under Mr. *Goring* for my Lord *Burlington*.

Goring. I am Bailiff under his Lordship, and have the Care of his Farms. In *September* last I discharged him for some Fault in his Work, not for any Dishonesty.

John Hooper. I lost my Horse the 20th of *March*, and advertised him, but could not hear any thing of him: But on the 4th of *April*, as I was going from my House towards *Turnham Green*, I saw the Chestnut Gelding going by me with a Clog on; the Prisoner met me at the same time, and both he and the Gelding went out of the Way I was walking; but I cast my Eye after him, and saw him pull a Bridle from under his great Coat, or from under his Arm, and put it upon the Horse: Then

Then I went up to him, and he call'd me by my Name; I asked him his Name, and where he lived? He told me his Name was *Sedgewick*, and that he lived hard by one *William Gardiner* upon the *Green*. I told him, I had lost a Gelding some time ago, and if he could give me any Account of it, I would satisfy him for his Pains. I likewise asked him if he knew of a low-pric'd Horse fit for my Business, that was to be disposed of: Why, (says he) here's a Horse that will do your Business very well; and that was Mr. *Hall's* Horse, that I had just seen him put the Bridle upon. When the Prisoner was put into the Round-house at *Chiswick*, he told us he would make an open Declaration if we would take him to a Publick House; we carry'd him to an Ale-house, and there he told me he had disposed of my Horse at a Place call'd *Plumb-street*, about a Mile beyond *Woolwich*, to a Man whose Name he did not know, but his Wife (he told me) lived at the *Bell* in *Kent-street*. I went into *Kent-street*, and by enquiring in the Neighbourhood I learn'd that the Woman's Name was *Battersea*, and that her Husband kept an Ale-house in *Plumb-street*. My Horse was not a Brown-bay; it was a Dark-brown, almost a Black; and I found him in *Plumb-street*, in *Battersea's* Close, upon which I had a Warrant for him, and the Justice order'd me my Horse again, and I brought him home; but he was again stole away last Saturday was se'n-night.

Samuel Ivory. I have had Satisfaction for my Horse; I never had him again: But I lost him on or about the 16th of *January* out of our Grounds. When the Prisoner was taken, he was had to the Constable's House, and confess'd that he and his Comrades took the Horse out of our Fields at *Chiswick*. Ours was a grey Gelding, and was in a Field call'd *Manor-house-Field*: The Prisoner told me, that as there were more Horses in that Field, his Companions would have taken more, but he would not suffer them. He own'd he had sold our Horse to a Man that keeps a Linnen-draper's Shop at *Rocheſter*; I went down to him, and he told me, he believed he had bought the Horse of the Prisoner, and rather than have any Trouble, he was willing to make me Satisfaction for it.

Richard Hall. Mr. *Hooper* telling me, he saw the Prisoner go over the Common with my Horse, and that he had seen him put a Bridle on him, I pursu'd him and took him at *Hammersmith Turnpike*, upon my Horse which he had taken off *Turnham Green*. Mine was a Chestnut Gelding: And when the Prisoner was taken, he was brought

back, and confess'd his stealing the Horses of all the People who have been examin'd.

George Edwards. When the Prisoner was taken, as I had lost a Horse, I went to him to enquire after mine: He told me, my Horse was a Brown-bay, and was sold to one *Hill*, at a Place called *Offspring*, near *Feversham*. I went there, and found him, according to the Prisoner's Direction.

Prisoner. I have nothing to say: I am as innocent as the Child unborn; I was led into this Thing very innocently.

Mr. Goring. The Prisoner is a very weak, simple Fellow; and the Prosecutors would be glad to have his Life spar'd, and that he might be transported.

The Prisoner was found guilty on all the Indictments, but Mr. *Hooper's*.

252. *Elizabeth Hoſman* was indicted for stealing a Pair of Sheets, val. 4 s. a Blanket, val. 2 s. and several other Things, of *William Wilson's*, in her Lodging, let to her Husband by the said *Wilson*, Feb. 26. Acquitted.

253. *Richard Tobin* was indicted for assaulting *Michael Crosby*, in a certain Field and open Place, near the King's Highway, putting him in Fear, &c. and taking from him a Hat, val. 2 s. a Peruke, val. 7 s. and 9 s. and 4 d. in Money, Apr. 29.

Michael Crosby. As I was coming last Sunday Night from *Black Mary's Hole*, with this young Woman in Company, towards *London*, the Prisoner overtook us in the first Field we pass'd over, and turning upon me he gave me a Jolt. I asked him, What he wanted? And he ask'd me, What I wanted? I told him, I wanted nothing but Civility; upon that he held up this Iron Bar to me, and said, ——— d—mn you, you Dog, deliver your Money this Moment, or else I will kill you: The young Woman that was with me ran away from me, and I put my Hand in my Pocket to give him my Money; but I was the longer in delivering it, because I was thrusting my Watch into my Breeches, when I had done that, I deliver'd him all my Money, which was 9 s. and 4 d. then he snatch'd off my Hat and Wig; but the Wig falling, and he stooping to take it up, I fell upon him, and beat him, and got the better of him. He begg'd for Mercy; and I told him, he should have it when we came to any Ale-house nigh Town. While I had him upon the Ground, I held him down with one Hand, and with the other I anty'd his Garter,

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and

and bound him. He entreated me to go back with him to *Black Mary's Hole*, and promised to give me not only my own Money again, but all that he had about him: I knew the Houses about *Black Mary's Hole* were very bad ones, and as it was about Nine o'Clock at Night, I thought if I went back with him there, I might be stripp'd of all; so I resolv'd to bring him to Town, and had got him about forty Yards from the Place where I bound him, when some People came to my Assistance.

Prisoner. Did I demand your Money?

Crosby. Yes. In the Quarrel he got hold of both my Thumbs at once; I could not disengage myself, so I bit his Nose; that would not untangle me; I was forc'd to tear the Flesh off my Thumb in getting it from him.

Margaret Pinkney. *Michael Crosby* and I were coming from *Islington* to Town, and I perceived a Man in a Flannel Waistcoat coming towards us. He jostled against *Crosby*, and *Crosby* asked him, what he wanted. I don't know the Man, for it was dark, and I could not see his Face, but I heard him ask *Crosby* what he wanted; *Crosby* answer'd,——nothing but Civility; then I took to my Heels, and ran away toward the Houses: I desired the People at a Publick House to go into the Fields, telling them a young Man in blue grey was in Danger from a Man in a striped Flannel Waistcoat, and they went out to his Assistance.

Samuel Jones. I was sitting at the Sign of the *Apple tree*, at the Corner of *Warner-street*, and this young Woman came in, and said,—For God's Sake come out!—a young Man is set upon by a Man in a striped Flannel Waistcoat, and I am afraid he will be murder'd. I said, If any Body will go with me, I will go to his Assistance; and I asked her her Friend's Name; she told me 'twas *Michael*: So I went out, and stood at a Stile, and call'd out,—*Michael*, as loud as I could, but no body answer'd. The young Woman [*Pinkney*] was very much 'frighted, and I was persuaded not to go any farther; but a Link-boy coming by, I snatch'd the Link out of his Hands, and bid him come along with me; I went about 100 Yards into the second Field, and there I met *Michael Crosby* with the Prisoner: he held the Prisoner by the Nape of the Neck, and had hardly Strength to bring him along, he puff'd, and could only say,—*I have got him.* The Place where I met *Crosby* and the Prisoner, is a private Way, which leads from the Corner of *Warner-street* to *Black Mary's Hole*; not many People pass that Way. 'Tis a common Foot-path in a Field that joins to the Highway.

Crosby. The high Road runs by the Side of the Field, and there's a cross Path through the Field to *Black Mary's Hole*.

George Cannon. Last Sunday Night, about Nine o'Clock, these Men, *Crosby* and *Jones*, brought the Prisoner out of the Fields to the Corner of *Warner-street*, (where I was drinking a Pint of Beer). *Crosby* said,——For God's Sake assist me,——this Man has robb'd me, and us'd me ill. Upon that I caught hold of his Collar, and he had this Knife in his Hand, and was going to stab *Crosby* directly; but I knock'd the Knife out of his Hand, and he was carry'd before a Justice, and committed to *New Prison*.

Prisoner. I am a poor Lad, and work'd hard for my Bread. I took a Walk last Sunday Afternoon into the Fields, and quarelling with the Prosecutor, he got the better of me, and charg'd me with robbing him; I bid him use me civilly, and let him take off one of my Garters, and bind me. Did not I go with you civilly?

Crosby. Yes, when I had bound you; because I had got this Iron Bar from him, and threaten'd to beat him with it, if he did not.

Prisoner. Did you not search me before the Justice?

Crosby. He said he had Money of his own about him, when he was carry'd before the Justice; but on searching him, we could find none at all.

Prisoner. Were not my Hands ty'd, and had not *Crosby* hold of them, and another Hold of my Shoulder? My Hands were ty'd close to me; and they, taking a Knife off the Pavement,——swore I drop'd it.

Jones. His Wrists were ty'd, but not close together: He had the Length of my Finger between his two Hands.

William Leadbeater, William Walker, Henry Vicks, William Webb, Thomas Alderman, and Susan Warren, appeared in the Prisoner's Behalf, and gave him a good Character. Guilty, Death.

254. *James Turner* was indicted for stealing four Bushels of Barley, val. 8s. the Goods of *Sir Henry Hicks, Bart.* March 12. Guilty.

255. *John Williams* was indicted for breaking and entering the Dwelling-house of *John Helot*, about two in the Night, and stealing two Silver Watches, value 8l. the Goods of the said *Helot*; one Silver Watch, val. 40s. the Goods of *Catherine Vuljohn*, and another Silver Watch, value 5l. the Goods of a Person unknown, March 18. Acquitted of the Burglary, Guilty of the Felony.

256. *Lætitia*, alias *Micia*, alias *Cliffa Pike*, was indicted for stealing two Holland Shirts, &c. the Goods of *John Ward*, April 14. Guilty 10.

257. *Peter Norman* was indicted for stealing 300 and three Quarters of a Pound of Printed Paper, to be made into Books, value 15 l. the Goods of *Joseph Hinson* in his Warehouse, March 2. Guilty 4 s. 10.

258. *Ann Norton* was indicted for stealing a Linnen-Gown, val. 5 s. and a Cambrick Mob, value 4 s. the Goods of *Charles Carr*, March 26. The Prosecutor not appearing, the Prisoner was Acquitted.

259. *Thomas Owen*, alias *William Freeman*, was indicted for stealing two Bottles of Wine, val. 2 s. and seven Pint-Bottles of Palm Sack, val. 7 s. the Goods of *John and James Chalie*, April 23. Guilty.

260. *Elizabeth Kidd* was indicted for stealing a Silver Watch, val. 40 s. the Goods of *James Donalson*, from his Person, April 9.

Donalson. On the 9th of April, at Night, I carried the Prisoner to one *Bird's* House, in the Coal-Yard, in *Holborn*; (I suppose he will be here presently) We called for some Liquor, and after that we asked for a Room, and went up together, &c. This *Bird* keeps a bad House I believe. — About Ten or Eleven o'Clock, I called for some Liquor; and *Ann Bryan* (the next Witness) brought up a hot Pint. I felt for Money to pay for it, and missed my Watch, and my Money. There was nobody in the Room but the Prisoner and this *Brian*, who brought up the Liquor; and I believe the Prisoner is not Guilty, for I take it, — the Evidence [*Brian*] is the Person who convey'd away the Watch.

Ann Bryan. I went into the Room with the hot Pint, and saw the Prisoner and the Prosecutor — together. He bid her take Money out of his Pocket to pay me; she did so, and I saw her pull out his Watch, and laid it upon the Cloaths. I bid him give it me, that I might give it Mr. *Bird* to take of; but the Prisoner said she could take care of it herself. Sometime afterwards he called for a Candle, and said he had lost his Watch and his Money; then he made her move out of her Place, and found 3 s. 6 d. $\frac{1}{2}$ under her, which he gave to me, and told me, it was all the Money he had left. After I had been committed to *New Prison*, and she to *Newgate*, Mr. *Bird* said, he found the Watch under some Bricks in the Chimney.

Robert Bird. When *Brian* was sent to *New*

Prison, she told the Constable, she believed the Watch was in the Room where *Donalson* and the Prisoner had been together; and she desired him to come to me, and beg that I would search the Room. I did, and found the Watch under two Bricks in the Chimney, at the End of the Grate.

Mr. Wood, Constable. On the 9th of April, the Prosecutor brought *Brian* and the Prisoner before me, and charged them with stealing a Watch. The next Day I took them before Mr. *Deveil*, and *Brian* swore the Prisoner gave her the Watch, but she had given it to her again. When *Brian* was in the Coach going to *New Prison*, she told me, — if she could be admitted to the House, she believed the Watch would be found. I left that Notice at *Bird's* House, and in about two Hours Time *Bird* came to my House, and told me he had found the Watch in the Chimney.

The Court reprimanded *Donalson* for his Conduct, and the Jury Acquitted the Prisoner.

261. *John Gilbert* was indicted for stealing two Linnen Shirts, val. 12 s. &c. the Goods of *Robert Graidon*, and a Silk Handkerchief, val. 6 d. the Goods of *Margaret Sparrow*, Feb. 23. Acquitted.

262. *Lewis Hudson* was indicted for stealing two double deal Boards, value 2 s. 6 d. the Goods of *Edward Staple*, April 8. Acquitted.

263. *William Grey* was indicted for stealing a Watch with an Out-side and Inside Case made of Silver, val. 39 s. and a base Metal Seal plated over with Silver, val. 4 d. the Goods of *John Guy*, March 3. Guilty.

264. *Samuel Masters*, of *St. Ann's, Westminster*, was indicted for stealing 20 lb. of Lead, value 8 d. fixed to the Freehold Messuage, or Tenement of the Rt. Hon. *Thomas, Lord Onslow*, April 12.

James Gibbins. I have a Lease of two of my Lord *Onslow's* Houses in *Tyburn Road*; we were repairing them; and the Lead was upon them. I can only say, I was called up early in the Morning, and saw it rolled up, ready to be taken away.

Peter Ponfir. I am a Watchman in *Tyburn Road*. I was going my Rounds the 12th Day of April at Twelve at Night, and heard a Noise in the empty House, and I called my Brother Watchman to stand at the Door, while I went into the House. I found the Prisoner in the Garret, and the Lead and some Casements were by him. As soon as he saw me, he collered me, and asked me what Business I had there. Then he pushed by me, and ran down Stairs into the Cellar, and from

from thence up another Pair of Stairs and hid himself in a Closet, where we found him, and he told us he intended to do all the Mischief he could that Night. The Lead and four Casements were rolled up, ready to be carry'd away.

William Collins. I was called to assist my Brother Watchman, and stood at the Cellar Door. The Prisoner came down Stairs, and slipped thro' the Joists into the Cellar; but upon seeing my Lantern he run up Stairs and hid himself in a Closet, where we found him. When we seized him, he told us, he had been that Night with the Overseers of the Parish, and they would not allow him any Thing for his Subsistence, so his Design was to do all the Mischief he could that Night.

Prisoner. I lay two Nights before in the House; he knows I did, and had a Fire there; for I had no Money to pay for a Lodging, and they knew that I was in the House. There was a Noise in the House; (I heard it:) so they came in, and took me away for the Sake of Twenty Shillings, which the Parish allows, for every Person they can convict. When they attempted to take me away, I scuffled with them, as well as I could, and in the Scuffle I tumbled down Stairs.

Ponfir. I did give him Leave to lye in the next House, and another Man was with him, but not in the House where he was taken.

Jury. This Man has been a Parishioner in that very Parish for some Years, and has served Offices in the Parish. He kept a Publick House in this very House a great While, but he is now lame and reduced so low, that one of our Jury-Men at a Club-Feast made a Collection for him, to keep him from Starving. The Parish ought to do something for him. The Court censured the Parish's ill Usage of the Prisoner. Acquitted.

265. *Mary Timself* was indicted for stealing a Silver Pepper Box, val. 5 s. the Goods of *Sarah Oliver*, March 9. Acquitted.

266. *Thomas Savage* was indicted for stealing 16 Chickens, value 6 s. the Goods of *Thomas Booth*, April 30. Guilty.

267. *Francis Knaston* was indicted for stealing 5 Barrels of Pitch, value 35 s. the Goods of *William Hoar, Esq;* April 20. Guilty.

268. *John Trotter*, of *St. Mary-Le-Strand*, was indicted for stealing 40 Ells of Holland, value 30s. 22 Pieces of Buckram, value 10 l. 15 Gros of Braid for Stays, value 7 l. 15 Gros

of Gallons, value 5 l. 3 Pieces of white Buckram, value 18 s. 14 Pieces of Canvas, value 19 s. 3 Pieces of brown Buckram, value 3 s. and 6 Pieces of Ticken, value 2 s. the Goods of *Thomas Doughty*, in his Dwelling House, April 8.

Thomas Hitchins, Constable. I searched the Prisoner's Lodgings in *Vine street*, near *Round Court* in the *Strand*, in the Presence of *Mr. Doughty*, and one or two more. These are the Goods we seized, some were produced before *Justice Fraser*, the rest were in a Cart near the *Justice's Door*. I sealed the Bags up into which they were put; the Goods in them are what we found in the Prisoner's Lodging, and they have been in my Possession ever since, without any Alteration at all.

Mr. Doughty. These are my Goods; they were in my Shop, and were stole from thence. This is a Piece of my Buckram, and I know it by my Stamp at each Corner; and I was present when this and the rest of the Goods were taken at the Prisoner's Lodgings. Here is another Piece of Buckram; and this is my *Silefia* Holland, I bought of this Gentleman: He and his Clerk are here to vouch they are my Goods. About nine Weeks ago I had the Misfortune to have an Iron Bar fall on my Leg, by which Accident I was confin'd for seven Weeks to my Chamber. The Prisoner went away from me two or three Days before the Accident happen'd; so I had not Time to examine my Shop till I was recover'd; and then several of my Customers told me, they could buy Goods cheaper of the Prisoner than they could of me: I thought that was strange, and suspecting they might be my Goods, I cast up my Shop, and found by my Bills of Parcels, that I had lost 150 l. Worth of Goods.

Counc. What Quantity of Goods did you find at his Lodgings?

Doughty. Here are several Parcels which I cannot swear to. I can be positive to these two Pieces of Buckram, and three Pieces of *Silefia* Holland, and these three Pieces of White; here's my Stamp on them. There are more Buckrams, but we have not produced them all.

Counc. How many Pieces can you be positive to?

Doughty. About ten Pieces,—all mark'd with my Mark. Here's seven Pieces of White, which I am positive to; they are stamp'd at each Corner, and here's the Man who made this Stamp for me.

Counc. How long had the Prisoner been gone from you when you miss'd the Goods?

Doughty. About a Month, or better.

Prisoner's Q. Was not you arrested for Wages due to me, before I was charged with this Robbery?

Doughty. Yes; and I had a Suspicion of him then, but I had not Time to examine my Books: I remember I said to the Officer,—There's something extraordinary in this Man, for he us'd to go like a Nobleman. I paid him 10 l. a Year, Wages, and sent to him in Order to pay him before I was arrested. He was my Servant, and I trusted him to sell in the Shop; but these Goods which we found in his Lodgings, could not be sold in my Shop, by my Direction; I am sure they were not: I miss'd to the Number of 50 Pieces of Goods.

Counc. How long before you miss'd these Goods, had you seen them in your Shop?

Doughty. I can't tell certainly; because I have a great Quantity of them.

Prisoner's Q. Might not those Goods be sold out of the Shop with the Mark on them?

Doughty. As he was trusted to sell Goods in the Shop, he must sell them with the Mark on them. It was his Business to sell in the Shop, and to keep my Books.

Prisoner's Q. Did not you settle Accounts with me, and cast up the Books, before you parted with me.

Doughty. No.

John Doughty, junior. I went with my Father and the Constable to the Prisoner's Lodging, where these Goods were found. I have been conversant with my Father's Shop and Business ever since last March was Twelvemonth, and know these Goods are my Father's: I believe they might have been in the Shop about three or four Months before they were miss'd. I attended in the Shop while my Father's Illness lasted, (which was near seven Weeks) for the Prisoner had been gone about two Days before; and no body did Business in the Shop, while my Father was ill, but myself.

Counc. Did you miss any Quantity of Buckrams out of the Shop, before your Father came down into the Shop?

Doughty junior. No. But when he came down, he was sensible (upon searching the Shop) that a great many Pieces were wanting.

Prisoner's Q. Can you say these Goods were not sold out of the Shop?

Doughty junior. Yes. If they were sold, they were never enter'd in the Books, nor did we ever receive a Farthing for them.

Counc. What is the Value of the Goods that lye before you?

Doughty junior. About 10 l. and the Value of the Buckrams that we can swear to is about 5 l.

James Collins. I stiffen'd these Pieces of Buckram for Mr. Doughty; I believe these have been stiffen'd about a Quarter of a Year: I know they are his Goods, and were done at my House; for we always stamp every Persons Goods with their own Mark. We have a Penny a Yard for Stiffening them. I have look'd over about a Dozen Pieces, and can't say whether this Piece may not have been stiffen'd a Twelvemonth ago.

David Harper. I know the Prisoner, and went to his Lodging the 28th of last Month, to look on some Buckrams that he had to dispose of; and I bought these two Pieces, at 6 d. a Yard, of the Prisoner at the Bar, which is cheaper than the Market Price by 2 d. a Yard. I am a Taylor, and the usual Price is 8 d. I bought these two Pieces by Mr. Doughty's Direction, that he might see whether they were his Goods. I believe this Buckram was never bought unstiffen'd under 6 d. a Yard.

DEFENCE. Prisoner. I sold these Buckrams in Mr. Doughty's Shop, to a Gentleman that was going Abroad, with many other Goods; the Money for them was received and book'd, and I can prove when the Goods were delivered: But the Person not going the Voyage that he expected, he told me the Goods would be of no Use to him, so I bought them again of him.

Mr. Frazer. When the Prisoner was brought before me, I asked him how he came by so large a Quantity of Goods? He told me they had been Mr. Doughty's Goods, but he bought them of a Surgeon, who had paid Mr. Doughty for them, and was now gone Abroad.

Prisoner. The Gentleman who bought them of Mr. Doughty did not go the Voyage he expected, so I took the Goods off his Hands, and paid him 18 Guineas for them. This was in the Month of November, and they were lodg'd at a Friend's House, till I left my Master, then I took them to my Lodging. As to the Galloons, I buy my Goods of the Makers and Hawkers, and they must sell to more People than Mr. Doughty. The Day after I left him, I went to him for my Wages, and he us'd me very civilly, but did not pay me then; and three or four Days after that he heard

I was ill, he sent and offer'd me my Money; however, I was not paid, and I brought a Writ against him for it.

Mr. Doughty, senior. The Prisoner came to me the latter End of December, and went away in February last.

David Fryer. In November last the Prisoner brought some Buckrams to my House, while he was in his Master's Service, and he took them away about eight or ten Days after he had left him: They came either by a Porter, or a Cart, and were afterwards carry'd to his Lodging; he told me he had them of one Mr. Brown. I can't tell whether these are the same Pieces that were at our House, but they were the same Sort of Goods; and the Prisoner himself desired me to let him leave them at my House.

Robert Skinner. I have dealt with the Prisoner lately: I sold him 11 Pieces of white Linnen on the 17th or 18th of last Month, and he paid me for them; but these Goods that are now produced are none of them which I sold him. He bought no other Goods of me but what are mentioned in this Bill of Parcels. I have known him five Years; and never knew of his being given to pilfering, nor ever knew him suspected before.

Mr. Hyde. I know the Prisoner: I have sold him brown Irish Linnen, but there are none of them among the Goods now produced.

Mr. Clavey. I have sold the Prisoner two small Parcels of Irish Buckrams, at 10 $\frac{1}{2}$ d. (I think) a Yard, for the Use of Stay-makers: These that are produced are of another Sort; these are for Taylors, they are Scotch Buckrams, and are not what I sold him.

Col. Sinclair. About two Years ago the Prisoner came out of the Country, and brought me a Letter of Recommendation from my Sister, the Lady Beard, wherein she desired me to get him into some Shop-keeper's Service, and told me therein, that he had an honest Character, and could keep Books, and that she should take it as a Favour if I could get him recommended as a Book-keeper; and I accordingly spoke to some People, in order to get him into Business: He has an Uncle at Edinburgh, who is a Shop-keeper, and a Man of a fair Character. I never heard the Prisoner was addicted to Pilfering.

Mr. Lindsay. The Prisoner I know serv'd his Apprenticeship with one Mr. Stewart, at Edinburgh, and had a good Character while he was there. His Uncle is a considerable Dealer at Edinburgh, but I can't say I know any Thing of the Prisoner's Character since he came here.

Mr. Brown. I have known the Prisoner ever since he came to Mr. Doughty. I took him to be an honest Man, and have heard Mr. Doughty say he believ'd him to be so; and that the Prisoner gave such Satisfaction to his Customers, that they chose to be serv'd by him, and by none but him. I never heard any Thing laid to his Charge, or that he was addicted to Pilfering before.

James Russel. The Prisoner had lodged in my House when he was taken up, eight Weeks and two Days; he behaved soberly, liv'd moderately, and I never heard him swear in my Life. He used to bring in Goods in the Day-time, and People used to come to him to buy them.

Warren. I have known him a Year last November; he bore a universal good Character. I am a Hair-cutter; and he used to come to my Shop to have his Hair done up: I was once drinking with him and Mr. Doughty's Son, and I would have had another Tankard, but he would go home, because it was about Ten o'Clock.

Mr. Fryer. I have known him about eight Years, and never knew any Thing amiss of him in my Life. Guilty, Death.

The Jury recommended the Prisoner to his Majesty's Clemency.

269. John Talbot was indicted for stealing ten Ounces of Silk, val. 15 s. the Goods of James Lanning, Mar. 12. And,

270. Tabitha, Wife of William Talbot, was indicted for receiving the same, knowing it to be stole. John Talbot, Guilty. Tabitha, Acquitted.

271. Jeremiah Whitehouse was indicted for stealing an Iron Chain, val. 2 s. 6 d. the Goods of the Governor and Company of the New River Water, brought from Amwell and Chadwell to London, Jan. 11. Acquitted.

272, 273. * Abraham Wells, and Daniel Wells, of Endfield were indicted for stealing a brown Mare, val. 2 l. 10 s. the Goods of Ralph Symson, May 23. in the 9th Year of the King.

Ralph

* Abraham Wells and his Wife were Evidences on Bonner's Trial for a Robbery on the Highway. They swore that Bonner was at the Grey-hound in Smithfield, at the Time when the Robbery was committed; but the Perjury being detected, they, and two other Witnesses, viz. Lyon and Story, were committed in Court. See Session-Book 1736, No. 7. p. 176.

The next Sessions Wells and his Wife, and John Lyon, were convicted of Perjury on the above-mentioned Trial. Story dy'd in Newgate. See Sessions-Book, No. 8. p. 206.

Ralph Sympfon. I lost a brown Mare from *Endfield Chase* three Years ago this *May*; and I never have seen her since, nor can I charge the Prisoners.

Simon Lewis. I was with the two Prisoners, and another Man, (a Stranger) when they took *Mr. Sympfon's* Mare, and help'd to take her; we took her from *Old Pond Course* on *Endfield Chase*.

Sympfon. I put her there, and lost her from thence.

Lewis. It was on the 23d of *May*, in the Year 1736; I don't know what they did with her, for after I had caught her for them, I went to fold my Sheep. They were to give me 10 s. for my Pains, but when they had got the Mare, they never gave me any Thing. The Reason I did not discover this sooner was, because I was loth to blow myself to the World; but when they came to swear for *Bonner* the Highwayman, I forswore their Company, and deserted them ever since. Another Reason I did not discover them was, because *Abraham Wells* is my Brother-in-Law. I never have been easy in my Conscience since it was done, and I have been sick and like to die, so I resolved to ease my Mind, and let the World know how they live.

A. Wells. Why did not you charge me before? This Man indicted me at *Doctor's Commons* about eight Years ago. I never had to do with him in my Life,——I never knew him.

D. Wells. I know nothing of the Matter.

John Chapman. I have known *Abraham Wells* a pretty while, 3 or 6 or 7 Years. I don't live near him; but I arrested his Brother-in-Law, and he said he would get *Wells* into *Newgate*. As to having heard any Ill of them,——I can't say,——I can't say nothing to that.

Edward Gore. I am call'd, but I never saw either of them in my Life.

Benjamin Garland. I have known *Abraham* about three or four or five Years; as to his Character,——really, I can't say as to his Character,——only I never heard no Ill of him,——nor have I ever heard any Good of him. I live at *Waltham Abbey*.

Benjamin Parnel. I have known *Abraham Wells* eight or nine Years: He has the Character of a very great Rogue.

Prisoner. That's a Brother-in-Law of mine: He took all my Goods when I was confin'd in Goal.

Parnel. But the Prisoner had my Money for them. As to *Daniel Wells*, I never saw him till

the Night he was taken, on *Lewis's* impeaching him: He has but an indifferent Character.

Christopher Woodham. I have known *Abraham* seven or eight Years: His general Character is but a very indifferent one. I don't care to say any Thing farther.

A. Wells. Why I have dwelt with you,——and paid you honestly.

Woodham. Yes, so you have.

John Keys. I have known *Abraham* five Years: He has but a very indifferent Character. He threaten'd to ruin me.——I know nothing of *Daniel*.

Samuel Wibert. I have known *Abraham* eight or nine Years: He is a Man that bears a bad Character. I know nothing of *Daniel*.

Henry Long. I have known him twelve Years: He has but a very slender Character. I could say more, if your Lordship would hear it.——He's a very bad Neighbour, in respect to Stealing; he has a bad Character that Way, and gets his Bread by it.

A. Wells. Did not I pay you, when I dealt with you?

Long. Yes; and you have eat me out again very handsomely.

Richard Fletcher. I have known *Abraham* eight or nine Years; I never heard a Man have a worse Character in my Life, except a Murderer: The first Time I saw *Daniel* was when he was taken at *Epping*; he has a bad Character there.

John Slighter. I have known *Abraham* ten Years. His Character is bad:——no one's worse. I have no great Knowledge of *Daniel*,——I know nothing of his Character.

William Green. I have known *Abraham* Seven or Eight Years. His General Character is base,——none's worse. I heard that he's a very dishonest Man, using his Neighbours ill. I have heard much to his Dispraise.

James Elson. I have known *Abraham* Twelve Years: I never heard any Character of him, but that of a Thief, since I have known him. I have known *Daniel* a pretty while. I don't know much of him——he lives in another Country, but I have heard from several of his Neighbours, that he has a bad Character.

A. Wells. When I dealt with you, did not I pay you honestly?

Elson. I never dealt with you at all.

Daniel Wells. Who is it that gives me a bad Character?

Elson.

Elson. All the Butchers that come from *Epping*, say you are as bad as *Abraham*, and that there's no Difference between them.

William Yarrow. I have known *Abraham* Seven or Eight Years. His general Character is very bad. I know nothing of *Daniel*.

Daniel Wells. They know nothing of me, nor do I know any thing of them.

Abraham Wells. My Wife swore the Peace against *Lewis's Wife*, and because I would not give him a Guinea to give my Wife, he swore (with a great Oath) he would swear something against me.

Lewis. There has not been any Quarrels between us lately: My Wife and his Wife may have differed: That's nothing to me. Both Guilty, Death.

274. *Thomas Top* was indicted for stealing a green Baise-Waistcoat, value 3s. 6d. the Goods of *George Pymer*, April 5. Acquitted.

275. *John England* was indicted for stealing 11 Pewter Plates, value 8s. the Goods of *Thomas Collet*, April 23. Guilty.

276. *Thomas Smith* was indicted for stealing a Great Rug-Coat, value 3s. and a Cloth Coat, value 5s. the Goods of *Charles Barlow*, April 17. Guilty.

277. *Crispianus Whitaker* was indicted for stealing a Linnen Shirt, value 6s. a Pair of Shag Breeches, value 10s. and other Things, the Goods of *John Dennis*, and a Cloth Coat, the Goods of *William Powers*, March 5. Guilty.

278. *Bordecai Basson* was indicted for stealing a Pewter Gallon-Pot, value 2s. the Goods of *Edward Merryfield*, May 1. Guilty.

279. *John Bone* was indicted for stealing 48 lb. of plat Leads, value 6s. the Goods of *John Gilham*; and 12 lb. ditto, the Goods of *Nicholas Butler*, April 23. The Prosecutor not appearing, the Prisoner was acquitted.

280, 281. *Daniel Reeves*, and *William Disney*, were indicted for stealing a Pewter Gallon Pot, value 3s. the Goods of *Robert Miller*, Feb. 22. *Reeves* Guilty. *Disney* Acquitted.

282. *John Stevens* was indicted for stealing a Silver Tankard, value 6l. the Goods of *Edward Plummer*, in his dwelling House, April 13.

Edward Plummer. The Prisoner came to my Lodgings in Strand Lane, under Pretence of looking at them, and treating about them. I saw him there about Five Days before the Tankard was taken away. I can only say, the Tankard is mine, and it was lost the 30th of April.

Fane Plummer. The Prisoner had been three or four Times in the Room to look at the Lodgings, before I missed the Tankard. He came on the 10th of April, to meet my Husband, and be informed from him, whether he designed to quit them, or no. The Tankard stood on a turn-up Bed in the Room, and was worth six Pounds, and more.

Sarah Manning. While the Prisoner waited in the Room, he gave me a Shilling to fetch a Pot of Beer, and I went to the Ale-house to fetch it. While the Beer was drawing for me, my Mother-in-Law (*Fane Plummer*) came to me, and asked if the Man came in there, I told her no; why says she, he has got the Tankard and is gone away. Upon this we went to look after him, and found him walking with another Man, in the *King's Bench Walks*, in the Temple. I ran to this Gentleman, (the next Witness) and told him, he had got my Father's Tankard, so the Gentleman cry'd, Stop Thief, and we got the Tankard again.

Francis Dean. On the 10th of April, about Seven in the Evening, I met the Prisoner in *Serjeant's Inn*, in *Fleet-street*, and saw his Hand under his Apron, with either a Silver Mug, or a Tankard in it, for Part of the Silver was cover'd with his Apron, and Part was uncovered. This Girl (*Manning*) coming up, and telling me, that Man had got her Father's Tankard, I pursued him and got up to him, upon which he threw the Tankard with such Violence from him, that it rebounded two Yards, and had I not got out of the Way, I believe he would have broke my Legs with it. Mr. *Evans* (the next Witness) took it up, and I pursued him to the Steps in *Red-Lyon Court*, in *Fleet-street*, and there he was taken.

John Evans. On the 10th of April this Girl [*Manning*] came to me under the Piazza's in the Temple, and took me by the Sleeves, and said, —That Man (pointing to the Prisoner) has got my Father's Tankard under his green Apron; upon that I cry'd Stop Thief, and pursu'd him cross *Tanfield Court* into the *King's Bench Walks*, and through the *Maidenhead Alehouse* into *Serjeants Inn*, and there he threw the Tankard out of his Hand, I took it up, and carry'd it to the Prosecutor, and he own'd it.

Mr. Plummer. It was my Tankard.

Prisoner. I was drinking at the *Maidenhead Ale-house*, and hearing a Noise, I went out to see what was the Matter, so they pursued me, and took me.

William

William Turner. I have known the Prisoner many Years, I believe he is just in his Character. I keep a House in *Cross street*, in *Hatton Garden*. He lodged with me for some time, and paid me justly and honestly. I don't know that he wronged me.

Another Witness had known the Prisoner a Year and a half; and another ten or twelve Years; both of them had never heard any Thing ill of him, nor that he had been guilty of any Dishonesty. Guilty, Death.

283. *Thomas Coleman* was indicted for stealing two Wrought-Iron Boxes, value 15 s. the Goods of *John Pullin*, *March 7*. Guilty, 10 d.

284. *John Cope* was indicted for stealing two Gold Rings, value 16 s. the Goods of *John Fox*, in his Shop, *April 6*. Guilty 4 s. 10 d.

285. *Joseph Cole* was indicted for stealing 2 s. the Money of *Sarah Pitman*, *April 23*.

Sarah Pitman. The Prisoner broke open my Son's House, — he broke a Pane of Glass, and opened the Casement; then he went through his Room into mine, and took 2 s. — I don't know it was so, — but by his own Confession.

Prisoner. I never had the Money, nor did I confess it.

Thomas Corleys. The Prisoner is my Apprentice. I have had him ever since the 4th of *August*. I heard him confess, That he took a Pane of Glass out of the Casement, and got into the House; and, that he then went up Stairs into my Mother-in-Law's Room, and took 2 s.

Fury. We desire to know if the Prisoner is not a Parish-Apprentice?

Corleys. I took him from the Parish, — but I don't want to keep a Thief in my House. Acquitted.

286. *Sarah Clacey* was indicted for stealing 3 lb. of *Beladine Silk*, value 3 l. the Goods of *John Boon*, *April 12*. Acquitted.

287. *Joseph Hitchens* was indicted for stealing seven Pair of Yarn Hose, value 6 s. the Goods of *Neal Campbell*, in his Shop, *March 12*. Guilty 4 s. 10 d.

288. *Honour Bowlin* was indicted for stealing two Leather Boots, value 14 s. the Goods of *John Dock*, *April 6*. Guilty 4 s. 10 d.

289. *James Wapham* was indicted for stealing five Pair of Black Silk Stockings, value 30 s. the Goods of *Jane Clousingar*, *March 17*. Guilty 4 s. 10 d.

290. *Abraham Hughes* was indicted for stealing 14 lb. of *Sheeps Fat*, value 3 s. the Goods of

Edward Allman, *March 20*. Acquitted.

291. *Lydia Parker* was indicted for stealing six Delf-Cups, value 1 s. and six Delf-Saucers, val. 1 s. and an Earthen-Plate, value 2 d. the Goods of *Robert Lane*, *Feb. 14*. The Prosecutor not appearing, the Prisoner was acquitted.

292. *George Ridgeley* was indicted for stealing one Augur, one Adz, a Steel Maul, and a Padlock, *March 19*. Acquitted.

293. *John Williamson* was indicted for stealing two Pair of Silver Buckles, value 10 s. the Goods of *John Holland*, in his Shop, *May 4*. Guilty, 4 s. 10 d.

294, 295. *William Bull* and *Adam Stanton* were indicted for Assaulting *David Parry* in the *King's Highway*, putting him in Fear, and taking from him three Shillings and a Penny Half-penny in Money, *March 18*.

The Witnesses were examined a-part.

David Parry. About Nine o'Clock at Night, on the 19th of *March*, as I was coming over *Tower-Hill*, I was stripp'd of my Money, but who took it, I can't tell. I can give no Manner of Account of my being attacked, or having a Squabble, but I did not carry home one Farthing of Money. I had been at *Lambeth*, and carried Money out with me, and the last Publick House I was at, was on *London Bridge*. And I remember I parted with a Friend at the Monument, and that somebody took my Money from me on *Tower Hill*, but who they were that did it, I can't tell, nor what passed between us; but I lost 3 s. and some Half-Pence upon *Tower-Hill*. I'm sure it was there.

Achilles Dent. The two Prisoners and I, made an Agreement to go a-thieving on the 18th of *March* last —

Prisoners. And the former Witness swore to the 19th.

Parry. It was the 18th of *March*, — I am sure 'twas on a Sunday Night I was robbed.

Dent. They and I went out a Thieving; we went out first upon the Water, and got into two Sloops, but we could make no Hand of it, and being pursued, we came ashore, and as we were going over *Tower-Hill*, *Bull* said, the first Man we met, he would have his Money or his Life. And happening to meet Mr. *Parry*, we held him, while *Bull* searched his Pockets. He pulled out a Penknife with a Buckthorn Handle, and threatn'd to rip out his Guts if he did not deliver his Money. We took three Shillings and one Penny Half-penny from him, and divided one Shilling and a Half-

Half-penny a-piece. I never saw the Prosecutor before that Night, to my Knowledge, but I heard his Name, for while Bull was rifling his Pockets, he said, don't hurt poor Mr. Parry, for he is a Man that hurts nobody. When the Prisoners were carry'd before the Justice, and Mr. Parry was sent for, Bull, as soon as he saw him, said to a Gentleman that stood by him, — here comes the *Jamming Cull*, (meaning the Man that was to hang him.)

Prisoners. How come you to find out Mr. Parry so soon?

Dent. After we had robbed him, we followed him down *Rosemary-Lane*, and I took Notice where he went in.

Thomas Sullivan. I was at the apprehending the two Prisoners, and Bull told me, if he had thought he should have seen my ugly Face, he would have been many Miles off. When they were before the Justice, *Black Sam* [Stanton] desired me to speak to the Justice, that he might be admitted an Evidence, for says he, this Evidence (*Dent*) can speak to nothing but this Robbery, and I can speak to four or five more, he (*Dent*) has not been long enough with us to tell of any more than this one.

Bull. If Col. *Williamson* was here he would secure *Sullivan*, for sending Men to *France*.

John Miller. I am a Servant to the Keeper of *New Prison*. The two Prisoners and *Dent* were brought to us at Twelve o'Clock at Night, and the next Morning were carry'd before Mr. Justice *Farmer*; the two Prisoners were hand-cuff'd, and the Evidence had an Iron on: When they were before Mr. *Farmer*, *Dent* told us where Mr. *Parry* liv'd, and a Porter was sent for him, but he return'd, and could not find the House; upon which Mr. *Farmer* order'd me to go with *Dent*, and see if we could find it; so we went out together, and he carry'd me to it, and told me at that Time, that the Man's Name was *Parry*; I enquired at the House for Mr. *Parry*, and his Wife told me he belong'd to the Custom-house, and was not at Home, but he should come between Two and Three o'Clock; and he accordingly came, and gave an Account of this Robbery. As to the Knife which the Evidence mentions, I search'd Bull, and took it out of his Pocket the Morning

he was hand-cuff'd: I heard the Evidence mention before the Justice, that while they were rifling the Man, he said, Don't hurt poor Mr. *Parry*, &c. When we had been before the Justice, Bull snatch'd up a Pint Pot, and gave the Evidence such a Knock with it, that I thought he had beat his Brains out.

Bull. And I had Reason enough, when he was about to swear my Life away.

Miller. This is the tenth or twelfth time that Bull has been tried for his Life.

Fury. How came this Evidence to be taken up?

Dent. I was taken up on one *Emanuel Hubbard's* Information; and was in Custody, but he could not find a Prosecutor.

Bull. When the Thief-Takers caught us, they said, There was 280 l. dead Money for them. I was born in *Colchester*, and have no Friends, but I am not to be cast for that.

Stanton. I have no Friends; I was born in *Antigua*.

Both Guilty of Felony * only.

Adam Stanton was a 2d Time indicted for stealing 50 Yards of *Scotch Plaid*, val. 4 l. the Goods of *Robert Hall*, in his Shop, Feb. 25. And,

296. *Elizabeth Davis* for receiving the same, knowing it to be stole.

Stanton, Guilty, 4 s. 10 d. *Davis*, Guilty.

William Bull was a 2d Time, and *Adam Stanton* a 3d Time, indicted for stealing a *Huckaback Table-cloth*, val. 7 s. two white quilted *Petticoats*, val. 10 s. two *Huckaback Napkins*, val. 2 s. and other Things, the Goods of *Elizabeth Bate*, Mar. 5. Both Acquitted.

297. *Joseph Casey* was indicted for assaulting *William Hanks*, on the King's Highway, putting him in Fear, &c. and taking from him a Pair of Silver Shoe-buckles, val. 7 s. 6 d. a Silver Stock-buckle, val. 2 s. 6 d. a Silver Watch, val. 5 l. and three Shillings and Two-pence in Money, Apr. 8.

William Hanks. On the 8th of April, a little before Twelve at Night, I was robbed as I was coming through a Court near *Knaves-acre*, of a Silver Watch, a Pair of Silver Shoe-buckles, a Stock-buckle, and some Money, but I can't tell what it was, for I was pretty full of Liquor. I can't

*N. B. Robbery is a felonious and violent taking away from the Person of another, Goods to any Value, putting him in Fear: Now the Jury were of Opinion, there was not sufficient Evidence of the Violence, (in which Case the Law would presume putting in Fear) and that it was no more than a private taking from the Person.

can't be positive who robb'd me, but I know I was assaulted by three or four Persons, and I believe the Prisoner was not one of them that robb'd me, —I believe he was the Man that came up to assist me; but the Thief-takers have told me, that if I would swear his Life away, I should have a Share of the Reward. Some of them deserve Hanging more by half than the Prisoner.

The Foreman of the Jury. The Prisoner works for two reputable Men, and has a good Character.

William Attley was call'd, but did not appear.

Alice Taber. I and *Martha Jones* were going down *Swallow-street*, and we met the Prosecutor; we asked him to give us a Dram, and we carry'd him to a Cellar in *Peter-street*, where we drank six or seven Penn'orth of Gin: As we were drinking, down comes *Joseph Casey* (the Prisoner,) and ask'd the Prosecutor, (*Hanks*) if the Buttons on his Coat were Silver? *Hanks* said, yes; then d—mn my Blood, says the Prisoner, I have a good Mind to cut them off, and before I leave him I will have his *Scout*, (his Watch); then he asked me, whether I would consent for him to take it? I said,—No, don't take it here, it will bring the People of the Cellar into Trouble; take it when he goes up Stairs; so we went up with *Hanks* into a Court, and there a Man in a brown Coat quarrell'd with him, and afterward left him: Then the Prisoner came up, and knock'd *Hanks* down; I took his Shoe-buckles, he took his Watch, and *Martha Jones* took his Stock-buckle, and 3 s. and 2 d. in Money. I happen'd to speak of this Robbery next Morning, and the Thief-takers got hold of it, and it run like a Hue and Cry through a Town. The Robbery was done on the Sunday, and I gave my Information on Monday.

Hanks. I was not knock'd down at all: I was only hustled up against the Side of a House.

Patrick Cummins.* I know nothing of the Robbery,—but I was drinking at a Publick House, and the Prisoner came in with two Women, and asked me to drink with him; I did, and then he call'd me on one Side, and asked me, If I knew any body that would buy a Watch? I went to a Gentleman's Servant that was in the House, and ask'd him the Question; he bid me let him look at it, so we shew'd him the Watch in the Yard; the Prisoner and he agreed, and I saw him sell a Watch for 40 s. The Man's Name that bought

it was *Tom Full-of-Play*; I don't know whose Watch it was, but *Tom Full-of-Play* bought it.

Elizabeth Willmain. I heard the Prisoner say, that if he had *Hanks* by himself, he would nail him of his *Scout*, but I don't know what that means. And when this *Alice Taber* was going from the Justice to the New Prison, I heard her say,—Her Conscience prick'd her, for she had sworn wrong against the Prisoner; but she must either die herself, or hang him.

Thomas Lovit. I was charg'd with the Prisoner for robbing *Hanks*, and while he was in my Custody, I heard him say, that *Cummins* helped him to a Chap for the Watch, and that he (*Cummins*) had bought the Stock-Buckle himself: But I heard nothing how he came by the Watch.

Thomas Ward, Thomas Bennet, and others gave the Prisoners a good Character.

Hanks. 'Twas Mr. *Attley* would have persuaded me to have sworn against the Prisoner, for the Sake of the Reward. Acquitted.

298. *Ann Castle* was indicted for stealing 3 Linnen Shirts, value 3 s. the Goods of *Julius Hills*. 3 ditto, value 10 s. three Sheets, value 3 s. a copper Stew-pan, value 5 s. and several other Things, the Property of *John Campbell*, in the Dwelling House of *Samuel Weaver*, Dec. 9. Acquitted.

299. *John Mitchell* was indicted for stealing a leaden Pump, value 30 s. fixed to the Dwelling House of *Joseph Rumner*, March 14. Acquitted.

300. *Elizabeth Harris* was indicted stealing 3 Linnen Gowns, value 20 s. 2 Pewter Plates, value 18 d. and several other Things, the Goods of *James Phillips*; and a Camblet Gown, value 6 s. a Camblet Riding-Hood, value 2 s. a Common Prayer-Book, value 4 s. and several other Things, the Property of *James Phillips*, February, 3. Acquitted.

301. *Thomas Saunders*, alias *Saunderson*, alias *Alexander*, was indicted for stealing a Silk Handkerchief, val. 2 s. from the Person of *James Saunders*, March 20. Guilty 10 d.

302, 303. *Henry Keetch* and *Richard Smith*, were indicted for stealing three Sacks, value 6 s. and four Bushells of Wheat, value 10 s. and eight Bushells of Barley, value 11 s. the Goods of *Christopher Felton*, in his Warehouse, March 2. And,

304.

* *Patrick Cummins* was try'd with *Henry Fluellin* (since executed) for robbing *Thomas Johnson* on the Highway, and was Acquitted. See Sessions Book, 1738. N^o. 5. Page 98.

304. *Francis Wright* was indicted for receiving the same, knowing them to be stole. All Acquitted.

305. *Mary Morgan* was indicted for stealing a Silver Watch, and a Silver Chain, value 3 l. a Silver Seal, value 12 d. and two Brass Seals, value 6 d. from the Person of *Morris Colson*, April 10.

Colson not appearing when called, the Prisoner was Acquitted.

306. *Edward Wilson* was indicted for that he on the 3d of November last, marry'd and took to Wife *Ann Morgan*, Spinster, in the Parish of St. Martin's in the Fields, and afterwards, viz. on the 1st of March last, feloniously took to Wife *Frances Sherry*, his former Wife being then living, &c.

The Prosecutors not appearing, the Prisoner was Acquitted.

307. *Ann Thomas* was indicted for stealing a Pair of Flaxen Sheets, value 4 s. two Brass Candlesticks, value 1 s. and other Things, the Property of *William Bradbury*, in her Lodging, March 5. Acquitted.

308. *Mary Birch* was indicted for stealing 2 Guineas and 2 Shillings from the Person of *Thomas Green*, April 20. Guilty, Felony only.

309. *James Jackson* was indicted for stealing a Wooden Writing Desk, value 2 s. the Goods of a Person unknown, March 27. Acquitted.

310. *Henry Constable* was indicted for breaking and entering the Dwelling-House of *Thomas Read*, about the Hour of Seven at Night, and stealing eighteen Guineas in Money, Octob. 7. 1730.

Thomas Read. On the 7th of October, 1730, I went from my House at *Hockley-in-the-Hole*, about Six in the Evening, to Mr. *Wainwright's* at *Cow-Cross*: I perceived two Men sitting at some Distance from the Door, but it was dusky. About Seven o'Clock a Messenger came to Mr. *Wainwright's*, to tell me I was robbed: I went home, and found several Neighbours in my House, and my Housekeeper, (*Mary Holford*) unable to speak: her Head was as wet as if a Pail of Water had been thrown on it. Upon going up Stairs into the Garret, which I call my Chamber, I found a Chest broke open, a Deal Box broke all to Pieces, and my Money, which was in it, (18 Guineas) was gone. *Holford* describ'd one of the Men that was concerned in the Fact, and her Description made me suspect the Prisoner, whom I had then known about Five Years. On the 21st of the

same Month I carried her to a Pay-Table, where he received his Wages, that she might have a Sight of him; but as soon as he saw me, he went off, and she did not see his Face. I enquired of the Landlord, where the Prisoner lived? He could not tell. Then I asked him, where he drank? He directed me to another House, and I went there, with *Holford*, and the Man of the House told me he was above Stairs, and he would call him down. When he came down, I asked him how he did, and shook Hands with him, and desired him to sit down; but that Instant he ran up Stairs again, and two of his Brother Bricklayers stopp'd me, and told me he was gone over the Tops of the Houses, and prevented my following him; and I never could take him before. About a Year ago he pass'd by my Door, in the Day-Time, with one *Ralph King*, but no body appeared at Hand, and if I had startled him, I should have done myself no Good. I have enquired every Year after him among the Bricklayers, and never could hear where he was, till I found him at the *Horse and Groom* by St. James's Street, on the 10th of March last. When he was taken, he gave us ill Words, and struggled to get away from the Constable. The Money I lost was all I had in the World, except 30 s.

Mary Holford gave the same Account, that when Mr. *Read* was gone out, somebody knock'd at the Door, and she, being alone in the House, asked, who was there? And, upon being told that a Customer wanted a couple of Whips, she open'd the Door, and two Men rush'd in, one of whom she knew was the Prisoner; for she had often seen him come to an ill House in the Neighbourhood. She said the other Man immediately ran her up against the Boards, and clapp'd one Hand on her Mouth, and the other to her Throat, while the Prisoner took up a Leather Thong, and put it round her Neck; that he gave the other Man the two Ends of the Thong to hold, and then lighted a Piece of Candle, which he took out of his Bosom, or Pocket, and went up Stairs; that the Man who was left with her in the Shop, dragg'd her by the Thong (keeping one Hand on her Mouth) into the Back Part of the House, to a Sink in which stood a Pail, full of Water, into which he forced her Head; that she once cry'd out, upon which he kick'd her, and endeavour'd to stab her with a Pair of Scissars which hung at her Side, and did thrust them through all her Cloaths, to her Shift; that the Prisoner made a low Whistle when he came down Stairs, upon which the Man who held her plung'd her

her Head again Into the Water, and then went away with the Prisoner; leaving her so spent, that it was some time before she could get to the Door, to call the Neighbours, who, since the Fact, are some dead, and some removed; that she sent for Mr. Read, who came home, and found his Boxes broke, and his Money gone. She gave much the same Account as the former Witness had given of the Attempts to take the Prisoner.

The Prisoner asked her, whether he did not come by her Door about three Years ago, and did not enquire of her if she knew him? In answer to this, she said, About two Years ago he pass'd the Door on a Sunday, and, upon her turning to look after him, he said—How do you do, old Woman,—you don't know me? The Witness reply'd, she did, that his Name was Constable, and that it was he who had robb'd the House; upon which he d—d her, and told her it was no more Sin to kill her, than to kill a Cat; She said she saw him then go into a House three or four Doors off (the Sign of the Fox) and that she got a Constable, and went after him into the House, but he had made his Escape.

Charles Wainwright confirmed the Account that Read gave of his being sent for, and finding Holford in a bad Condition, and his Boxes broke.

John Plympton, a Constable, gave an Account that he had a Warrant to seize the Prisoner about a Year ago, and had got Assistance in order thereto, but that they could not light of him.

The Prisoner, in his Defence, said he always work'd hard at the Bricklayer's Business for his Living, and that his Character had never been stain'd before; that he generally work'd in the Country during the Summer, and returned to Town in the Winter; and a great Number of Persons giving him an extraordinary good Character, several of whom he had work'd for, and had known him from his Apprenticeship, the Jury Acquitted him.

311. William Perry, alias Ferry, was indicted for stealing three Hats, val. 21 s. the Goods of Brian Hinstock, one Hat, val. 2 s. 6 d. the Goods of Thomas Lewis, and several other Hats, the Property of sundry Persons, April 13. Acquitted.

312. Eleanor Cope was indicted for stealing a Druggist Coat and Waistcoat, val. 12 s. the Goods of James Ravener, and 2 d. in Money, the Property of John Ravener, Mar. 17. It appear'd from the Evidence, that the Prosecutor sent his Child (James Ravener) on an Errand; the Prisoner met him, and decoy'd him to her Lodging, and having stripp'd him, sent him home, with an old Rag about his Shoulders. Guilty.

313. Elizabeth Cbett was indicted for stealing a Dowlass Shift, val. 2 s. and a Linnen Apron, 2 s. the Goods of Sarah Baker, Apr. 21. Guilty.

314. Richard Garnet was indicted for stealing 7 s. and 1 d. the Money of John Leak, Apr. 16. Guilty, Felony only.

315. Mary Morris was indicted for assaulting Jane Nichols, in the Dwelling-house of John Lyde, putting her in Fear, and taking from her a Gold Necklace, val. 50 s. a Gold Locket, val. 7 s. a Gold Ring, val. 19 s. and a Linnen Handkerchief, val. 9 d. the Goods of James Nichols, Apr. 24. Guilty, Felony only.

316. John Stevens was indicted for stealing a Wether Sheep, val. 16 s. the Goods of Ingles Prescott, Apr. 9. Guilty.

317. William Pugh was indicted for stealing a Cloth Cloak, val. 20 s. a Pair of Silver Spurs, val. 25 s. five Holland Shirts, val. 40 s. a Cloth Coat, val. 5 s. two Cambrick Handkerchiefs, val. 2 s. a Cambrick Stock, val. 1 s. and a Linnen Cap, val. 1 s. the Goods of Bendall Martin, Esq; in the Dwelling-house of Samuel Scott, Feb. 25.

Mr. Martin. The Prisoner ran away from me on the 26th of February; he was then my Servant: On the 28th he sent me a Letter, to inform me he had pawn'd my Goods at several Pawnbrokers; and he likewise sent an Order for them to deliver me the Things that had been pledg'd in his Name: I am sure the Letter was in his own Hand-writing, and the Goods are those mention'd in the Indictment. This is the Letter. The Letter was read.

Directed, 'To Bendall Martin, Esq; at Mr. Scott's, a Painter, in Covent Garden.

'S I R,

'If your Goodness will be so charitable as to redeem the Things, I will return the Money by Degrees; else I must suffer the Law. As to coming nigh you, I must not; for I am sure to be laid hold of. Be it as it will, I shall pray for you Night and Day. I am, S I R,

'Your unfortunate Servant,

'Wm. PUGH.'

Two other Letters were read, directed to two Pawnbrokers, requiring them to deliver the Goods pawn'd in the Prisoner's Name; one of them was sign'd Eliz. Pugh.

Thomas Signal. Mr. Martin brought me a Warrant on the 1st of March to serve upon the Prisoner; we found him in a Garret, and he fell down upon his Knees, and beg'd for Mercy. After we had been before Justice Hilder, I went with the Prisoner to search at the Pawnbrokers;

Y

he

he asked for the Things that had been pawn'd in his Name, and they were deliver'd to us.

Prisoner. What I did was to support a sick Family, and to pay a Debt I had contracted, and for which I fear'd I should be arrested. I never was charg'd with any Thing before.

William Read, — Davis, and Herbert Jones gave the Prisoner a good Character. Guilty, 4 s. 10 d.

318. *Ann Seager* was indicted for stealing a Velvet Waistcoat, val. 6 s. a Sword with a Steel Hilt, val. 5 s. two Pair of Sheets, val. 1 s. a Velvet Cap, val. 1 s. and several other Things, the Goods of *Samuel Skinner, Esq; Mar. 9.* Guilty.

319. *John Lewis* was indicted for breaking and entering the Dwelling-house of *Edward Jones*, and stealing two Feather-beds, val. 40 s. a Bolster, val. 5 s. a Pillow, val. 1 s. two Blankets, val. 5 s. a Quilt, val. 5 s. and a Pair of Sheets, val. 5 s. *Apr. 25.* Guilty, Felony only.

320. *Henry Harris* was indicted for assaulting *Euphemia Sadler*, in a certain Alley and open Place, near the King's Highway, called *Catherine Wheel Alley*, putting her in Fear, and taking from her five Linnen Aprons, val. 24 s. two Linnen Shifts, val. 10 s. three Cambrick Handkerchiefs, val. 7 s. 6 d. two Linnen Caps, val. 10 s. two Cotton Handkerchiefs, val. 2 s. three Silk Handkerchiefs, val. 6 s. two chequ'd Aprons, val. 8 s. a Pair of Scissars, val. 2 s. 6 d. a Brass Thimble, val. 1 d. a Silk Hood, val. 4 s. 6 d. and 5 s. 6 d. in Money.

Sadler. On the 7th of *April* I was coming from my Place, and going to my Lodging with my Cloaths, about Eleven o'Clock at Night. In *Catherine Wheel Alley*, the Prisoner and three Men met me as I was going under the Gate-way; the Prisoner took hold of my Throat with his right Hand, the others held me by the Nape of the Neck; the Prisoner said, — d—mn you, if you call out, or speak a Word, I'll dash your Brains out, or cut your Throat: Then they all hustled me down to a narrow Place, and one of the other Men said, d—mn you, why don't you knock her down, *Harris*. Upon that, the Prisoner caught me under the Chin, beat me down backwards, and took my Bundle from under my Arm; then he tore my Apron from my Sides, and search'd my Pockets; he took 5 s. 6 d. some Halfpence, a Pair of Scissars, and a Brass Thimble, out of my right Hand Pocket, and a Silk Handkerchief out of the other. I cry'd out, — Fire! — Murder! upon which the Prisoner turn'd back, and said, — You Bitch, — there's no Fire, — 'tis only your Impudence: The three Fellows ran away, and he went into an Alehouse, the *Cock and Magpye*; I went in after him, and took hold of

him, begging the Assistance of the People in the House, and telling them, *This Man has robb'd me!* Upon which he was seiz'd, and carry'd before Justice *Hensh*, in *Spittlefields*, but before the Constable carry'd him there, he and one of his Watchmen desired me to make it up.

Prisoner. How came you to know my Face from the rest of those who were about you?

Sadler. The Prisoner took hold of my Throat, and I put up my Hands to save myself, and felt a Finger wanting upon his right Hand; I observ'd his Want of it immediately on my going into the Alehouse, and upon that I took him.

Prisoner's Q. Did not I charge the Constable with you?

Sadler. Yes; and he said, if he went to the Watch-house, I should go too.

Thomas Osborn gave the Prisoner a good Character, and said his Business was to sell Fish, Fruit, &c. about the Streets, and to drive a Barrow.

John Bowers swore, he officiated for the Landlord at the *Cock and Magpye*: and that the Prosecutrix came in between Ten and Eleven, with a Man in a Sea-faring Dress, who seem'd to be her Husband; that she complain'd of being wet with the Rain, and had her Gown thrown over her Head; and upon her observing him to look earnestly on them, they drank up a Pint of Beer, and went away: That the Prisoner came in about an Hour after she was gone, to shelter himself from the Rain; and as the Watchman went 12, the Woman came in, and asked for the four Sailors that came in there, for they had robb'd her, (she said) by G—d, between that Door and the Passage, tho' she had cry'd out, Fire! That upon the Prisoner's laughing at her, she charg'd him with being one of the Persons, and he staid till the Officer was call'd, and then she said, she had nothing to charge him with, and would have gone off, had not he detain'd her; upon which she swore she would charge him with the Robbery, whether he had robb'd her or not.

Several Persons appeared to the Prisoner's Character, and the Jury acquitted him.

321, 322. *Mary Lane*, alias *Harding*, and *Martha Laycock*, were indicted for breaking and entering the House of *Jonas Gray*, between Eleven and Twelve at Night, and stealing two Gilt Sconces, two Linnen Quilts, two Pillows, and other Things, *Apr. 7.* Both Guilty, Felony only.

323. *Thomas Fisher* was indicted for breaking and entering the Dwelling-house of *Joshua Molineux*, about 12 at Night, and stealing three Pewter Chamber-pots, a Pewter Basin, and a Brass Slice, *Apr. 5.* Guilty, Felony only.

324, 325, 326. *Mary Seaward, Sarah Rich-*
ard and *Paul Dunn*, were indicted for stealing a Silver Watch, val. 4 l. the Goods of *Robert Robinson*, *Apr. 13.* All Guilty.

George Bird was call'd to the Bar, upon the Motion of the Council for the King, in order to have Execution awarded against him; but on the Arguments of Council on both Sides, the Court defer'd giving Opinion, as this appear'd to be a new Case, till the rest of the Judges were consulted. It was insisted, on Behalf of the Crown, That he should be call'd down to his former Sentence; and on the Part of the Prisoner, That he ought to be indicted for returning from Transportation.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 8.

Abraham Nash, Jane Smith, Abraham Wells,
Richard Sedgwick, Richard Tobin, Daniel Wells,
John Stevens, John Trotter,

BURNT in the HAND, 4.

Eliz. Etherington, John Lewis
Mary Lane, William Pugh:

Mondecai Basson, Thomas Foster, John Rider,
Mary Birch, Richard Garnet, Sarah Ritlock,
Honor Boulton, Little George, Thomas Savage,
William Bull, William Gray, Tho. Saunders,
Henry Carey, Ann Hayes, Ann Seager,
Thomas Coleman, Joseph Hitchins, Mary Seaward,
Eleanor Cope, Francis Knafston, Richard Smith,
*John Cope, Martha Laycock, * Thomas Smith,*
Hugh Cunningham, James Mayham, Adam Stanton,
ham, John Mitchell, John Stevens,
** Eliz. Davis, Mary Morris, John Talbot,*
Robert Davy, Brian Murtogh, John Tipping,
Paul Dunn, Daniel Neeves, James Turner,
John England, Peter Norman, Crisp. Whitaker,
Elizabeth Evett, Thomas Owen, John Williams,
Thomas Fisher, Letitia Pike, Jo. Williamson.

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Wednesday the 7th of June.

* N. B. By 4 G. C. II. Receivers and Buyers of Stolen Goods, knowing them to be Stolen, are to be Transported for Fourteen Years. No other Persons are sentenced for more than Seven.

ORDERS and DIRECTIONS to be observed by the Justices of the Peace, and Others, at the Sessions in the OLD BAILEY, for London and Middlesex, made 16 CAR. II. by Sir Robert Hyde, Chief Justice of the King's Bench; Sir Orlando Bridgeman, Chief Justice of the Common Pleas; Sir Thomas Twifden, one of the Judges of the King's Bench; Sir Thomas Tyrell, one of the Judges of the Common Pleas, and Sir John Kelyng, one other of the Judges of the King's Bench; And signed by them all, and read in open Court, and order'd to be filed by the Clerk, that all Justices may take Copies by them, if they please: For that they shall not, for the future, pretend Ignorance of their Duty.

Now Printed by ORDER of the COURT.

I. THAT all Recognizances and Bailments taken by any Justice of the Peace, be certified into the Court the first Day of every Sessions before Noon, for that they being kept longer out, it often happens that Felons and other Offenders escape the Prosecutors Witnesses, and Parties being wearied out with Delays and Attendance, beside many other great

Mischiefs; and that the Justices of Peace who are faulty herein be fined by the Justices of Goal Delivery, according to the Stat. of 1 & 2 Ph. & Ma. cap. 13. and 2 & 3 Ph. & Ma. cap. 10.

II: If the Offenders appear not upon their Recognizances the first Day, the Default to be recorded, and the Recognizances to be forfeited: Nevertheless,

Nevertheless Processes or Warrants, as the Case shall require, to go out against them and their Bail; so likewise as to those who are bound to give in Evidence, that if possible the Business be not deferred to another Sessions, in which time commonly the Prosecutors and Witnesses are taken off, and the Matters compounded.

III. That all Justices of the Peace do take Examinations both of the Felons without Oath, and the Informers and Witnesses against them upon Oath, in Writing, before they commit the Offenders to the Goal, and certify the same the first Day of the Sessions, that they may be ready upon the Trial of the Felons; or else to be fined according to the Statutes of *Pb. & Mary*, before mentioned.

IV. That all Prisoners for Treason and Felony be, according to Law, sent to the Common Goal, which is *Newgate*, and not to the *New Prison*; it being found by Experience that they are often set at Liberty there without Trial.

V. That no Prisoner for Felony be discharged during the Interval of Sessions, unless it be upon good Bail taken, the Warrant or Mittimus to the Goaler to keep them until they are delivered according to Law, nor any Bail or Recognizance for Appearance, to be given up or withdrawn by the Justice of Peace after the same is taken, but be returned and certified to the Sessions, or Goal Delivery, the Offender, whether Justice of Peace or Goaler, to be severely proceeded against.

VI. If any Justice of the Peace shall take Bail where he ought not, or wittingly or willingly take insufficient Bail, and the Party appear not, the said Justice not only to be proceeded against according to Law, but likewise to be complained of to the Lord Chancellor, that he may be turned out of his Commission.

VII. That no Copies of any Indictment for Felony be given, without special Order, upon Motion made in open Court, at the general Goal Delivery upon Motion; for the late Frequency of Actions against Prosecutors (which cannot be without Copies of the Indictments) deterreth People from Prosecuting for the King upon just Occasions.

VIII. That the Gaolers make more perfect Kalendars than of late they have done, according

to the *Stat. Hen. VII. cap. 3*, and insert not only Persons in their Custody, but also such as have been in their Custody since the last Sessions, and Bailed or Delivered out, and by whom.

IX. That if any *Habeas Corpus* come to receive a Prisoner from another Gaol, the Goaler to take notice of the Offence for which he stood committed at the other Gaol, and to inform the Court, that if he shall happen to be acquitted, or have his Clergy, he may yet be remanded to the former Goal, if there be Cause.

X. If any *Habeas Corpus* come to the Gaolers to remove a Prisoner, that with the Prisoner they also certify the Cause for which he stood there committed; it being found by Experience, that by Colour of *Habeas Corpus* to receive and remove Prisoners, many notorious Offenders do escape.

XI. That no Prisoner convicted for any Felony, for which he cannot have his Clergy, (unless it be Women, in such Cases, where if had they been Men, they might have had Clergy) be Reprieved, but in open Sessions, and not otherwise, without the King's express Warrant, and not by Order of any the Justices of Goal Delivery, or Oyer and Terminer.

XII. For that it hath frequently happened of late, that some have been killed upon Duels, others upon sudden Quarrels in the Streets; and the Inhabitants neglect to apprehend the Murderers, or to make Hue and Cry after them, and so the Persons not only escape, but no direct Knowledge can be given who they are. And by the Law, If any Man be slain in the Day, and the Felon not taken, the Township ought to be amerced; That therefore when any such Case appeareth at *Newgate*, as it too often doth, upon the Acquittal of Persons apprehended upon Suspicion, that both the Coroner, as also the Secondaries at *Newgate*, be required to attend the Judges of the King's Bench, that Information may be put in that Court against the Townships for the Escape, and followed *pro Rege*; And at the next Sessions at *Newgate*, give an Account what is done.

Ro. Hyde.

Orl. Bridgeman.

Tbo. Twisden.

Tbo. Tyrell.

John Kelyng.

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THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,

FOR THE
CITY of LONDON,

AND
County of MIDDLESEX,
ON

THURSDAY the 7th, FRIDAY the 8th, and SATURDAY
the 9th, of June.

In the 12th Year of His MAJESTY's Reign.

BEING THE
Fifth SESSIONS in the MAYORALTY
OF THE

Right Honourable *Micajah Perry*, Esquire,
LORD-MAYOR of the CITY of LONDON.

NUMBER V.

L O N D O N:

Printed and Sold by T. COOPER, at the *Globe* in *Pater-noster Row*.
MDCCXXXIX.

[Price SIX-PENCE.]

THE PROCEEDINGS

AT THE

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayor of the City of London; Mr. Justice PROBYN, Mr. Baron THOMSON, Mr. Justice FORTESCUE, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City, and County of Middlesex.

London Jury.

John D'Argent,
George Blackmore,
William Gardiner,
Duncan Campbell,
Thomas Mazarine,
Richard Aldridge,
William Albon,
Joseph Gaywood,
Richard Ellis,
John White,
Thomas Walker,
John Shuttleworth.

Middlesex Jury.

Richard Bullock,
John Cullis,
Thomas Bafnet,
Arnot Barnard,
Edward Story,
William Lucas,
Thomas Brown,
John Atwood,
Robert Tubbs,
John Simmonds,
Thomas Chandler,
John Miller.

Thomas Stroud was sworn on Friday, in the Room of William Lucas, who was taken ill.

327. William Battison of St. Butolph, Aldgate, was indicted for stealing three Glass Globe Lamps, value 15s. the Goods of Persons unknown, May 16.

John Vaughan. I have seen the Prisoner bring Lamps into my Room, in Lambeth-Rents, in Petticoat-Lane. About five Weeks ago, I saw him bring a Globe Lamp in his Apron into the Room, about two o'Clock in the Morning; I can't remember the Day of the Month, but 'twas the

Day the Charity-Children walked to Christ-Church. I saw him pull it out of his Apron and set it down on the Dresser: Then He, and William Greenaway's Brother, called up Greenaway out of his Bed, and asked him, if he would go out with them to get more, and they all went out again on that Design. The Prisoner had formerly lodged in the House, but had left his Lodging there, some Time before the Fact was committed.

Zaccheus Bourn. About seven Weeks ago we lost seven Lamps out of our Ward, and upon Enquiry after them, I heard that some disorderly Persons had a Lodging in a little Alley, in Petticoat-Lane. On the 15th of May I went to this Room, having been directed to it by a Watchman, and found five or six Fellows playing at Cards, but there was neither Chair, Table, nor Stool in it. William Greenaway told me he belonged to the Room, and upon looking about, I saw a Heap of Rags, under which, I found six Rims of Lamps. Greenaway told me they belong'd to him, that he was a Lamp-Lighter, and li't Lamps in Thames-street. I told him we had lost several Lamps, and that I must take him into Custody. I seized him accordingly, and he was committed to Bridewell as a Disorderly Person, because the Tin-Man could not swear to the Rims. The next Morning I went again to the same Room, and took Vaughan, the Evidence. As I brought him down Stairs, he told me he had a Favour to beg of me; which was, that I would intercede for him, that he might be made an Evidence.

Prisoner. I was coming along, and saw two or three Fellows upon some Lamp-Posts, and they asked me to take down one or two for them; I was in Liquor, and took one down, which I carry'd

carry'd for them to this House : Then they ask'd *Will. Greenaway* to get up, and go out with them again for more ; he did so, and they all went out again, but I did not know what they were about, for I was in Liquor the same Time. Guilty.

328. *William Greenaway* was indicted for stealing three Glass Globe Lamps, val. 15 s. the Goods of the Mayor, Commonalty, and Citizens of London, in the Parish of St. Stephen, Coleman-street, May 16.

He was a second time indicted for stealing seven Glass Globe Lamps val. 35 s. the Goods of the same, in the Parish of St. Butolph, Aldgate : And

He was a thlrd time indicted for stealing nine Glass Globe Lamps, val. 45 s. the Goods of the same, in the Parish of St. Butolph, Bishopsgate, May 16. Guilty on each Indictment.

329. *Thomas Will* was indicted for stealing an Iron Grey Mare, val. 15 l. the Property of *John Warren* May 24.

Mr. Warren. In August last my Mare was at Grass, in the Parish of Stapleton, about four Miles beyond Bristol : She was a genteel Mare, between a Nutmeg and an Iron Grey. The Farmer under whose Care she had been for about a Month before, sent me Word that she was missing the 2d of August, upon which I advertised her, but had no Information of her in several Months : But at last one Mr. *Fakes*, who lives at Leeds in Yorkshire, (and who had formerly been the Owner of her) wrote me Word that he had seen my Mare at Mr. *Stokes's*, at the Flying-Horse without Bishopsgate ; upon which I came up to London, and went to Mr. *Stokes*, who told me he had bought such a Mare of an Old Man he knew but very little of, and that she was then at Grass. I then sent one *Robert Davis* to see the Mare : He inform'd me she was mine, and she was brought to Mr. *Stokes's* : I knew her, and demanded her, and got a Warrant to take up *Stokes* ; but he produced the Prisoner, and said, he was the Man who sold him the Mare. I know nothing at all of the Prisoner.

Geo. Stokes. I live at the Flying-Horse without Bishopsgate, and keep Livery Stables there. About the Middle of September last I was at Wandsworth, and there I saw the Prisoner, who told me he had a pretty Mare to sell. I went into a Stable, and when I had seen her, I ask'd him what she was worth ? He ask'd me 11 l. and I bid him 7 l. or even Guineas, but he not being inclinable to take my Money, I came home. In about a Week's time he brought her to my Stables, and set her

at Livery, desiring me to help him to a Customer for her if I could, and telling me she was his Property : But one Morning when he came to see her, I told him, I would buy her myself, if we could agree upon Price, and in Talking I bid him 8 l. and at last eight Guineas, which he took for her ; this was about the 29th of September last. The Mare for which I paid this Money to the Prisoner, is the same that Mr. *Warren* afterwards own'd. I did not ask the Prisoner how he came by her, for when I saw him at Wandsworth, I found he was an Acquaintance of my Brother-in-Law's there, and upon that Account I had no Suspicion of him. I had had her about a Fortnight, before Mr. *Warren* came to enquire after her, and had put her to Grass at Plaistow, for she was very poor when I bought her. I believe I told Mr. *Warren* at first, who I bought her of, and about two Days after he had claim'd her, the Prisoner come into my Yard, and I took him.

Robert Davis. I was Mr. *Warren's* Servant, and came to live with him last Christmas was Twelve-Months. I know my Master had this Mare one Quarter of a Year in the Time I liv'd with him. I found her in a Field at Plaistow, at Grass : Mr. *Stokes* came to me at Plaistow, and I told him the Mare was Mr. *Warren's* : Upon which we both return'd to his Stables, and the Mare was deliver'd to me.

Prisoner. I was going along Thomas street one Day in August, and met one *John Pritchard*, who lives in Southwark ; I had been acquainted with the Man this seven or eight Years at Times, and he ask'd me to buy this Mare, which he was then leading in the Street ; I told him, she was very poor, and I did not know what to do with her. He said he had work'd her very hard, and as he was going over to Holland, and wanted Money, I should have her for eight Guineas : I told him 'twas too much Money for her, for she was very poor, and a little lame ; but at last we went to the Black Bull Alehouse, and there he agreed I should have her for six Guineas. I paid him the Money in the Alehouse, and took a Receipt for it before two or three People, and spent a Shilling in the House. I drive a Cart at Queen-Hithe, and have work'd there twenty Years. At that Time I wanted a Horse for my own Use ; for I buy and sell Corn, and serve a great many Gentlemen's Servants with Corn. When I sold Mr. *Stokes* this Mare, I told him I bought her of a Man who deals to Holland, and when she was claim'd, I surrender'd myself to him, without any Warrant, and sent to enquire after the

THE PROCEEDINGS

AT THE

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayor of the City of London; Mr. Justice PROBYN, Mr. Baron THOMSON, Mr. Justice FORTESCUE, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City, and County of Middlesex.

London Jury.

John D'Argent,
George Blackmore,
William Gardiner,
Duncan Campbell,
Thomas Mazarine,
Richard Aldridge,
William Alben,
Joseph Gaywood,
Richard Ellis,
John White,
Thomas Walker,
John Shuttleworth.

Middlesex Jury.

Richard Bullock,
John Cullis,
Thomas Basnet,
Arnot Barnard,
Edward Story,
William Lucas,
Thomas Brown,
John Atwood,
Robert Tubbs,
John Simmonds,
Thomas Chandler,
John Millet.

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327. William Pattison of St. Butolph, Aldgate, was indicted for stealing three Glass Globe Lamps, value 15s. the Goods of Persons unknown, May 16.

John Vaughan. I have seen the Prisoner bring Lamps into my Room, in Lambeth-Rents, in Petticoat-Lane. About five Weeks ago, I saw him bring a Globe Lamp in his Apron into the Room, about two o'Clock in the Morning; I can't remember the Day of the Month, but 'twas the

Day the Charity-Children walked to Christ Church. I saw him pull it out of his Apron and set it down on the Dresser: Then He, and William Greenaway's Brother, called up Greenaway out of his Bed, and asked him, if he would go out with them to get more, and they all went out again on that Design. The Prisoner had formerly lodged in the House, but had left his Lodging there, some Time before the Fact was committed.

Zaccheus Bourn. About seven Weeks ago we lost seven Lamps out of our Ward, and upon Enquiry after them, I heard that some disorderly Persons had a Lodging in a little Alley, in Petticoat-Lane. On the 15th of May I went to this Room, having been directed to it by a Watchman, and found five or six Fellows playing at Cards, but there was neither Chair, Table, nor Stool in it. William Greenaway told me he belonged to the Room, and upon looking about, I saw a Heap of Rags, under which, I found six Rims of Lamps. Greenaway told me they belong'd to him, that he was a Lamp-Lighter, and lit Lamps in Thames-street. I told him we had lost several Lamps, and that I must take him into Custody. I seized him accordingly, and he was committed to Bridewell as a Disorderly Person, because the Tin-Man could not swear to the Rims. The next Morning I went again to the same Room, and took Vaughan, the Evidence. As I brought him down Stairs, he told me he had a Favour to beg of me; which was, that I would intercede for him, that he might be made an Evidence.

Prisoner. I was coming along, and saw two or three Fellows upon some Lamp-Posts, and they asked me to take down one or two for them; I was in Liquor, and took one down, which I carry'd

carry'd for them to this House : Then they ask'd *Will. Greenaway* to get up, and go out with them again for more ; he did so, and they all went out again, but I did not know what they were about, for I was in Liquor the same Time. Guilty.

328. *William Greenaway* was indicted for stealing three Glass Globe Lamps, val. 15 s. the Goods of the Mayor, Commonalty, and Citizens of London, in the Parish of St. Stephen, Coleman-street, May 16.

He was a second time indicted for stealing seven Glass Globe Lamps val. 35 s. the Goods of the same, in the Parish of St. Butolph, Aldgate : And

He was a thrd time indicted for stealing nine Glass Globe Lamps, val. 45 s. the Goods of the same, in the Parish of St. Butolph, Bishopsgate, May 16. Guilty on each Indictment.

329. *Thomas Hill* was indicted for stealing an Iron Grey Mare, val. 15 l. the Property of *John Warren* May 24.

Mr. Warren. In August last my Mare was at Grass, in the Parish of Stapleton, about four Miles beyond Bristol : She was a genteel Mare, between a Nutmeg and an Iron Grey. The Farmer under whose Care she had been for about a Month before, sent me Word that she was missing the 2d of August, upon which I advertised her, but had no Information of her in several Months : But at last one *Mr. Fakes*, who lives at Leeds in Yorkshire, (and who had formerly been the Owner of her) wrote me Word that he had seen my Mare at *Mr. Stokes's*, at the Flying-Horse without Bishopsgate ; upon which I came up to London, and went to *Mr. Stokes*, who told me he had bought such a Mare of an Old Man he knew but very little of, and that she was then at Grass. I then sent one *Robert Davis* to see the Mare : He inform'd me she was mine, and she was brought to *Mr. Stokes's* : I knew her, and demanded her, and got a Warrant to take up *Stokes* ; but he produced the Prisoner, and said, he was the Man who sold him the Mare. I know nothing at all of the Prisoner

Geo. Stokes. I live at the Flying-Horse without Bishopsgate, and keep Livery Stables there. About the Middle of September last I was at Wandsworth, and there I saw the Prisoner, who told me he had a pretty Mare to sell. I went into a Stable, and when I had seen her, I ask'd him what she was worth ? He ask'd me 11 l. and I bid him 7 l. or even Guineas, but he not being inclinable to take my Money, I came home. In about a Week's Time he brought her to my Stables, and set her

at Livery, desiring me to help him to a Customer for her if I could, and telling me she was his Property : But one Morning when he came to see her, I told him, I would buy her myself, if we could agree upon Price, and in Talking I bid him 8 l. and at last eight Guineas, which he took for her ; this was about the 29th of September last. The Mare for which I paid this Money to the Prisoner, is the same that *Mr. Warren* afterwards own'd. I did not ask the Prisoner how he came by her, for when I saw him at Wandsworth, I found he was an Acquaintance of my Brother-in-Law's there, and upon that Account I had no Suspicion of him. I had had her about a Fortnight, before *Mr. Warren* came to enquire after her, and had put her to Grass at Plafow, for she was very poor when I bought her. I believe I told *Mr. Warren* at first, who I bought her of, and about two Days after he had claim'd her, the Prisoner come into my Yard, and I took him.

Robert Davis. I was *Mr. Warren's* Servant, and came to live with him last Christmas was Twelve-Months. I know my Master had this Mare one Quarter of a Year in the Time I liv'd with him. I found her in a Field at Plafow, at Grass : *Mr. Stokes* came to me at Plafow, and I told him the Mare was *Mr. Warren's* : Upon which we both return'd to his Stables, and the Mare was deliver'd to me.

Prisoner. I was going along Thames street one Day in August, and met one *John Pritchard*, who lives in Southwark ; I had been acquainted with the Man this seven or eight Years at Times, and he ask'd me to buy this Mare, which he was then leading in the Street ; I told him, she was very poor, and I did not know what to do with her. He said he had work'd her very hard, and as he was going over to Holland, and wanted Money, I should have her for eight Guineas : I told him 'twas too much Money for her, for she was very poor, and a little lame ; but at last we went to the Black Bull Alehouse, and there he agreed I should have her for six Guineas. I paid him the Money in the Alehouse, and took a Receipt for it before two or three People, and spent a Shilling in the House. I drive a Cart at Queen-Hithe, and have work'd there twenty Years. At that Time I wanted a Horse for my own Use ; for I buy and sell Corn, and serve a great many Gentlemen's Servants with Corn. When I sold *Mr. Stokes* this Mare, I told him I bought her of a Man who deals to Holland, and when she was claim'd, I surrender'd myself to him, without any Warrant, and sent to enquire after the

Man I bought her of as soon as I could, but he is not to be found.

Hugh Catterel. About August last I and *John Stubbs* were drinking at the *Black Bull*, and the Prisoner came in with one whom he called *Pritchard*; the Mare was left at the Door, and they desired me to go out and look at her, which I did, and saw she was an Iron-grey Mare, very poor in Flesh: The Bargain was made before they came in, but I saw the Prisoner pay the other Man 6 l. 7 s. one Shilling of which was spent, and we witness'd the Receipt which the Prisoner took for the Money. I never saw either of the Men before that Time in my Life, but I was desired to go and look at the Mare, and to witness the Receipt. This is the Receipt, and this is my Name, — *Hugh Catterel.* The Receipt was read.

August 29. 1738. Received of *Thomas Hill*, the Sum of Six Pounds Seven Shillings, in full for a Mare, and all Demands,
Witness. *Hugh Catterel.* per *John Pritchard.*
John Stubbs.

Catterel. I never had seen the Prisoner before, nor been in his Company; nor have I ever seen him since, till he sent for me upon this Affair. I told him when I witness'd the Receipt, that I liv'd at the *Golden Lion* in *Russel street*, *Cowen-Garden.*

John Stubbs confirm'd *Catterel's* Testimony.

Hen. Froom, John Leman, William Froom, John Miller, and William Folbigg, gave the Prisoner the Character of an honest Man. Acquitted.

330. *Margaret Bell* was indicted for stealing a Mahogany Tea-chest, val. 18 d. three Walnut-tree Canisters, val. 6 d. and 1 Oz. of Green Tea, val. 9 d. the Goods of *Adagdalen Fountain*, May 22. Guilty, 10 d.

331, 332. *James Caldcrough* and *Joseph Morris* were indicted for assaulting *Josias Swafford* and *George Banks* on the King's Highway, putting them in Fear, &c. and taking from the said *Swafford* a Hat, val. 2 s. two Guineas and 5 s. in Money; and from the said *Banks* five Guineas and 13 s. in Money, Apr. 9.

Mr. Swafford. On the 9th of April, between Eight and Nine in the Evening, I was going from *Knightbridge* to *Kensington*, and about 100 Yards beyond the Half-way House, three Men came up to me, dress'd in Soldiers Cloaths; (two of them I am certain had Soldiers Cloaths on) their Swords were drawn, and, without speaking a Word, they fell to cutting me, and never left cutting me, till they had brought me to the Ground; they

gave me all these Wounds [in my Face] and there were many more upon my Head. [The Prosecutor shew'd the Places where he had been wounded] I had 24 Guineas in this Pocket, so I clapp'd my Hand into it, while one of the Men thrust his Hand into the other Pocket, out of which he took two Half-crowns, and some Half-pence, and then said, — *I have got it!* Then they went a little Way from me, and one of them came back immediately, and put his Hand into this Pocket where the Gold was, and took out two Guineas, leaving me 22 behind: I believe, when I put my bloody Hand into my Pocket, I might raise them up from the rest, and, perhaps, as I lay upon the Ground, they might see them. When they had done this, they left me, and I saw no more of them. At that Time, when they cut me down, I was alone, and lay upon the Ground, till the Hostler at the *Crown* at *Kensington* took me up and carry'd me to a House. How long I lay on the Ground I can't tell, but I believe it was not long before I was taken to the *Dolphin*, at the *Gore* in *Kensington*. After the Hostler had found me, several other Friends came up, and among them *Mr. Banks*, who was robbed the same Night. I told the People at the *Gore* that I had been robb'd by three Soldiers, and what I had lost; but I cannot take upon me to say the Prisoners are the Men, for they cut me so fast, and the Blood flew about me in such a Manner, that I could not take Notice of them, so as to remember their Faces; I saw three other Men before these Men were charged, but I could say nothing to them, nor can I swear to these.

Caldclough. Had the Soldiers who robb'd you their Accoutrements on and their Spatterdashies?

Mr. Swafford. I can say nothing to that; they gave me no Time to observe any thing, but came upon me without saying a Word, and fell upon me with their drawn Swords, till I dropt to the Ground.

Geo. Banks. I live next Door to *Mr. Swafford*; he is a Carpenter at *Hammer-smith*, and he was robb'd the 9th of April, between *Knightbridge* and *Kensington*. I had been with him to *London*, and we were returning home between Eight and Nine that Night: When we came to the Half-way House, I stopp'd to make Water, and *Mr. Swafford* walk'd on, and was got some Distance before me. As I went after him, I saw three Men cutting another Man, but I did not know it was *Mr. Swafford*, so I endeavour'd to pass by them, and as I was striving to get past them, the Prisoner

Prisoner *Caldclough* got hold of my Collar. I saw them actually cutting *Mr. Swafford*, and not knowing him, was endeavouring to get from them. There were three Men, and I think they had all Soldiers Cloaths on, but I can't say I saw any more than two Swords drawn, nor did I then observe that *Mr. Swafford* was bloody. I am positive to *Caldclough*, and that he had his Sword drawn, but I can say nothing to the other Prisoner.

Caldclough. Was it light, or dark?

Banks. Very Moonlight: The Evening was just closing. I had got five or six Yards from them, when *Caldclough* came up to me: I asked him what he wanted? And immediately the two others who were robbing *Mr. Swafford*, left him, and came up to me. I endeavour'd to get away from them, but *Caldclough* followed me, with his drawn Sword, and cut my Hat off my Head, which he himself took up directly. After *Caldclough* had seized me by the Collar, another of them came up, and they both thrust their Hands into my Pockets, and took out five Guineas and about 13 or 14 Shillings in Silver, and three Silver Pennies. When they had done with me, I made off towards *Kensington*, and they went back — towards *Mr. Swafford*, who was about five or six Yards distant from the Place where I was attack'd. As I went homewards, I met a Friend, and asked him if he had seen *Mr. Swafford*? He told me, he came directly from *Kensington*, and had seen no body. I told him I had been robb'd, and if he had not met him, I fear'd he was murder'd; and upon going back to see for him, we found him wallowing in his Blood, and very much cut, and his Nose hanging into his Mouth: We got Help, and carry'd him to the *Dolphin* at the *Gore*, and I went for a Surgeon. After we had seen proper Caré taken of him, I went up to the Court, and desired *Madam Keen*, (*Mr. Loman's* Daughter) to get the Roll called over, and upon calling over the Roll, three Soldiers were missing from the Guard, but the two Prisoners were then upon Duty. After the Roll had been called over, I went home; and in the Morning I was sent to, and was informed that the three Men who were missing over Night, were then returned, and I went to see them, but could not swear to any of them; however, they were carry'd before Justice *Hinson*, and not giving a satisfactory Account where they had been, he committed them to *Newgate*, but they have since been bailed out. Three Weeks after this, I met one *James*, a Bricklayer, in the *Strand*, and he

told me he believed the right Men were taken; upon which I went with him to the *Savoy*, and saw *Caldclough* first: He was then in Custody, and I asked him if he knew me? He said, — No. I told him he had seen me once too often, for he was the Man that had robb'd me: He then desired me to do him no Hurt; and I told him I would hurt him no farther than was consistent with Justice. Then I went to look at the Evidence, he lay on a Couch, but I could not swear to him; nor could I charge the other Prisoner when I saw him. I asked the Evidence (in the *Savoy*) if he knew me? He said, No, but I was very like the Man that he robb'd; and, if I was the same Person, I had then on a new Pair of Buck-skin Breeches, and that among the Money he took from me there were two Silver Pennies. There were three among the Money I was robb'd of, but one of them we found next Morning on the Ground, in *Mr. Swafford's* Blood. He told me farther, that he took two Guineas, and about nineteen Shillings in Silver from us both, beside the two Silver Pennies; but I lost five Guineas, which another Man took out of my Pocket; for there were two Men took Money out of my Pockets. He added, that *Caldclough* and *Morris* were the Men who were concerned with him in these Robberies; but *Morris* told some Persons who were present, that he was innocent.

Caldclough. Had we our Spatterdashies and Accoutrements on?

Banks. I think they all had Soldiers Cloaths on, and I believe they had Spatterdashies over their Stockings. I was frighted at the Time, — but I believe it was so.

Caldclough. Was it I or the other, that put the Hand into your Pocket?

Banks. There were two Men who put their Hands into my Pockets, I had five Guineas in my Right-Hand Pocket, and I am sure the Prisoner *Caldclough's* Hand was in one of my Pockets, but who the other Man was, I can't tell.

William Robinson. There were only *Morris*, *Caldclough*, and I, concerned in this Robbery. I am a Soldier, and we all belonged to Colonel *Folliard's* Company. I remember it was the 9th of April, about half an Hour after Eight o'Clock. We had been drinking that Night at the *Sutling House* at *St. James's*, and talked about going to the *Gore*, and robbing the first Person we should meet. Accordingly we went thro' the *Middle-Park*, and along *Kensington Road* till we came past the *Half-way House*. Then we looked back, and saw

Mr. Swafford and Mr. Banks coming up. I did not know either of them then. — but the Persons we saw, prove to be these Gentlemen. When we first discovered them, they were Two or Three hundred Yards behind us; upon which, we turn'd back, and met them. Caldcrough drew his Sword, and immediately fell to cutting Mr. Swafford.

Q. Did you meet Mr. Swafford and Mr. Banks together? Or, were they at any Distance asunder?

Robinson. We met them together, and Caldcrough without saying any thing to Swafford, fell on him with his Sword. Morris's Sword was likewise drawn, and he held it to Mr. Banks's Breast. Mr. Swafford was about two or three Yards from Mr. Banks, when Caldcrough fell upon him (Swafford) with his Sword, and gave him a great many Cuts. Morris held his Sword to Banks's Breast, while I took the Money out of his Pocket. I had not a Sword with me, and was dressed in this Frock that I have on now; but they both had their Soldiers Cloaths on. From Mr. Banks I took about 19 s. and two Silver Pennies; I can't tell whether They took any more from him or not. From Mr. Swafford I took two Guineas in Gold, but not any Silver at all.

Q. Did either of the other Persons take any Thing from Mr. Swafford?

Robinson. I don't know: I can't say I observ'd that. After this we went directly over the Hedges into the Fields, towards Chelsea, and when we got to Chelsea Horse-Ferry, we helped the Ferry Man to pull up the Drag, [the Ferry-Boat] and we crossed the Water to Lambeth, and under the Archbishop's Wall, we divided the Money, and I had a Guinea for my Share. This was what I had for my Part of what I had taken, for they did not tell me they had taken any more. From Lambeth we came to Stangate, and there we crossed the Water again; then we parted, and I went home. Some time after this Robbery, I was drinking in Dutty-Lane, with one Richard Stephenson, and he disclosed that I had asked him to go with me on the Highway: This occasioned my being taken up, and then I discover'd this Robbery; but Caldcrough was taken up before I was in Custody, though I cannot tell how he came to be taken.

Caldcrough. Had we our Spatterdashes and Accoutrements on?

Robinson. No, they had not; nor their Accoutrements — [Their Leather Belts and Pouches.]

Caldcrough. Then there is a Contradiction;

Mr. Banks said he lost 12 or 14 Shillings, and the Evidence says he took nineteen; he said they all had Soldiers Cloaths and Spatterdashes.

William Harris. On the 7th of April at Night, within a Quarter of Nine, I was going from London towards Kensington, and about a hundred Yards on the other Side the Half-way House, I was stopped by three Soldiers, and saw them cut Mr. Swafford in a very barbarous Manner; I was about a hundred Yards behind him, and to the best of my Knowledge, the three Men who attacked him, were all in Soldiers Cloaths. Two of them had Spatterdashes on, but I can't be positive whether the third had Spatterdashes on, or not. I saw two of them with drawn Swords cutting him down, and saw him fall with the Blow. I never saw Mr. Swafford before in my Life, and thought it had been a Quarrel, so I pushed up immediately, and saw two of them upon him, (Swafford) and the third Man ran directly to Banks, after which, one of them came up to me. Mr. Swafford was about ten or twelve Feet distant from Mr. Banks, at the Time when Banks was robbed. I can't swear to either of the Prisoners, but if either of the Prisoners were concern'd, then I take it, That James Caldcrough was the Man who stopped me with his drawn Sword, and demanded my Money, which I had in my Hand to give him, but as I had an Opportunity to push off, I got from them and lost nothing. I did not go forwards, but went back to the Half-way House, where I got a Stick, and returned to the Place, thinking to take the Men, but they were gone, and Swafford was lying upon the Ground; I thought he had been dead. I can't swear to either of the Prisoners, but I believe Caldcrough is the Man who stopped me.

Caldcrough. I ask this Witness, whether he did not charge one Ringal before Mr. Deveil, as the Man who stopped him?

Harris. He is a Soldier; one of the three who were missing when the Roll was called over, I believed him to be the Man, and took him up on Suspicion. I cannot swear Point-blank to any Man.

Thomas Smith. I work at the Ferry at Chelsea. On the 9th of April, about a Quarter past Nine at Night, three Soldiers came down to the Ferry, and wanted to go over the Water. I desired them to lend a Hand, and help me to pull up the Drag; they did so, and got in. Then they bid me pull away, pull away, — make Haste over; this they said, all the Way they went. I landed them at Battersea-Ferry, and they

they asked me the Way to the King's Arms. I don't know the Men again, for though it was Moon-light, it was dull Moon-light, and cloudy: Two of them were in Soldiers Cloaths, and the other was not, but whether he had a Coat or a Frock on I can't tell; for they hurry'd me, and said they would give me 3 d. Farthing, which was seven Farthings more than my Fare; and when we reach'd Shore, they left the Money upon a Bench, and went away before I could get a shore.

Zephtho Kitchen. I apprehended the Prisoners on the 10th of May, on this Occasion. A Soldier in the Company told me, the Prisoners had sold a Piece of melted Gold in *Foster-Lane* for 47 s. and the Person they offer'd it too, refus'd to let them have the Money for it, till one of the Serjeants in the Company came with them. This gave me some Suspicion of them, which was increas'd by *Richard Stevenson's* taking me, that *Robinson* had perswaded him to go out with him on the Highway; and that he did go with him as far as *Whitechappel*, where *Robinson* bid him slouch his Hat, and told him they would go into the Fields and stop the first Man they should meet. *Stevenson* said he did go with him into the Fields, but watching an Opportunity, he ran from him, and got away. On the 10th of May, when our Company was waiting to mount Guard, *Stevenson* told my Brother Serjeant this Story. I thought it was proper the Affair should be enquired into, so I went to *Somerset house* Guard, and apprehended *Caldclough* that Evening; for when *Stevenson* told me this concerning *Robinson*, he said, that *Morris*, *Caldclough* and *Robinson*, had all been concern'd together. When I had seiz'd *Caldclough*, and was carrying him to the Savoy, I talk'd to him about these Robberies; he deny'd them all, but desired he might speak with *Robinson* the Evidence, which I refus'd; and when I had confid'd him, I went to *Robinson's* Quarters, in *Dutchy-Lane*, and the Surgeon of the Regiment coming in, I desired him to search *Robinson's* Body, for he had not been able to perform Exercis, on Account of his Arms being bruised; he was view'd by the Surgeon, but the Bruises were almost worn out; however, I seiz'd him, in order to carry him to the Savoy, and advis'd him to confess and save himself. He said if I would carry him to *Morris* in *Holborn*, he would tell me all the Affair; I consented, and before we got half Way to *Holborn*, he said he wish'd he could save *Morris*, for he was an honest Fellow; I bid him save himself, and tax'd him with this *Kensington* Robbery,

among others: He confess'd it, and told me, *Morris* and *Caldclough* were both concern'd with him in it. Upon this I turn'd back, and carry'd him directly to the Savoy: Then I went to *Morris's* Lodgings in *Fuller's Rents* in *Holborn*, and apprehended him. As I was going with him to the Savoy, I told him, *Robinson* had discover'd the Persons concern'd in the Robbery; upon which he told me, 'twas in my Power to do him some Service, and desired I would carry him before Mr. *Deveil*; but I told him it would be to no Purpose, for *Robinson* had made the Discovery first, and was to be admitted an Evidence.

Morris. Did I ask you to carry me to Mr. *Deveil*, or to Colonel *Folliard*?

Kitchen. I believe he first ask'd me to carry him before Mr. *Deveil*, and afterwards said, — Let me go before my own Colonel; I believe his Intent before either of them was to have made a Discovery.

Richard Stevenson. On the Monday Night the Robbery was committed, I saw the two Prisoners, and the Evidence *Robinson*, drinking in *St. James's Suttling-house* about Seven o'Clock; I left them there, and had no Discourse with them about committing this, or any other Robbery. *Robinson* has talk'd to me about going to rob with him, and I told Serjeant *Aspinal* of it: He [*Robinson*] and I were drinking three or four Pots of Two-penny one Day with a Girl, and he asked me to take a Walk with him; I consented, and he asked me if I wanted Money, giving me at the same time two Half-crowns. As we went along, we drank another Pot of Two-penny, and he bid me either pay for it, or give him his Money again; so I threw him down his two Half-crowns, and then we walked to *Whitechappel*, where he asked me, if I was Man sufficient enough to rob, and to stand by him, if we should meet with any who might resist. I did go a little Way with him, and then gave him the Slip, and came home to my Quarters: Afterwards I told Serjeant *Aspinal* of it, and he was taken up.

Jonathan Pye. I was the Corporal that kept the Roll. On the 9th of April the two Prisoners were upon Guard at *St. James's*, and I saw them with the Evidence in the *Suttling-house* at Eight o'Clock at Night. I was upon Guard all Night, and did not see them any more, till between Eleven and Twelve, at which Time they return'd to their Duty. The Royal Family went to the Play that Night, and the Guard turn'd out on that Occasion: Several Men were absent, among whom were the Prisoners, and I return'd them both.

born at Ten o'Clock. I threaten'd to return *Caldclough* at Four in the Afternoon; for he was then playing at Cards in the *Suttling house*.

Caldclough had no Witnesses in his Behalf. For *Morris*, one *Asbforth* appear'd, who keeps an Ale-house at the *Rising Sun* in *Tottenham Court Road*: He gave an Account that *Morris* had liv'd some Time with him, and he afterwards put him out Apprentice to Mr. *Joseph Edmonston*, a Sadler, in *Holborn*: That he serv'd out his Time, and work'd Journey-work for three Years since, and always behav'd well, till he was drawn away by some of these Soldiers: That he enlisted three Years ago on Account of a Woman, and at the Time he enlisted he was sent out to receive a Bill for his Master, and after he had enlisted, he brought him every Farthing of the Money.

Thomas Sherwood, a Porter at *Grays Inn Gate*, and a Relation of *Morris*, said he had never heard any Harm of him, and that all the Neighbourhood gave him the best of Characters. Both Guilty, Death.

333. *Fannah Sprouit* was indicted for stealing two Iron Streaks for a Coach, val. 5 s. the Goods of *Thomas Clark*, April 9. Acquitted.

334. *John Jones* was indicted for privately stealing a Silk Handkerchief, val. 2 s. from the Person of *Edward Strudwick*, May 15. Guilty, 20 d.

335. *James Arnold* was indicted for stealing three Wether Sheep, val. 36 s. the Property of *James Baldock*, May 3. Acquitted.

336. *Henry Gray* was indicted for privately stealing a Linnen Handkerchief, val. 8 d. from the Person of *Martin Cole*, May 5. Acquitted.

337. *Wmen Darby* was indicted for privately stealing a Gold-lac'd Man's Hat, val. 4 s. from the Person of *Charles Candy*, May 9.

Candy. I was going home between One and Two in the Morning, in the Month of May, the 9th Day of the Month. — I live in a Habitation in *Flying-Horse Court*, — just by the *Wax-work Shop*, between *Chancery Lane* and *St. Dunstan's Church*; and I had not got up above two Thirds of the Passage, before I found my Hat go off my Head: I made a Back-blow with my Stick, but I miss'd my Man, (else he would have felt me) and I turn'd myself round at the same Time, and saw the Prisoner run over the Way; I ran after him, and he got Ground of me, but he dropp'd my Hat, and this honest Chairman stopp'd him as he ran between the Poles of the Chairs. When I came up to him, he said, — Waith I have none of your Hat! No, says I, —

but I will carry you to the Place where you dropp'd it. That's the Man at the Bar, — for I never saw the Face of him till the Chairman took hold of his Wrist, and turn'd him about; then we carry'd him to the Watch-house, and asked him where he lodged? He told us in *Rosemary-Lane*. I asked him where he was going at that Time o'Night? He said, — to see a Friend at *St. James's*: I reply'd, — He was likely to have more Halberds than Links to attend him. — All the whole Thing was done in three Minutes.

Prisoner. I ask him, whether he had any Debate with any other Person, before he came out of the Alley?

Candy. I was not in the Court, — but in the Passage; and I saw no one Soul living, till finding my Hat go off, I struck at him by Guess, and if I had hit him, he would not have been here, for I should have pay'd him heartily, and so have dismiss'd him.

Istmael Causter. I was standing at the *Temple Exchange Coffeehouse* with my Chair, and hearing *Candy* cry, — Stop Thief, and seeing the Prisoner run, I clapp'd hold of his Wrist, and *Candy* said, — Let's lead him back, for he has dropp'd my Hat; I carry'd him five, six or seven Yards back, and found the Hat in the Kennel: Then I carry'd the Prisoner and the Hat to the Watch-house, and deliver'd the Hat to the Constable, or the Watchman, I don't know which. I am sure the Prisoner is the Man I took; for I had the Watchman's Lanthorn, and my own, to see him by, — and I was with him at the Watch-house.

Prisoner. Please to ask him, whether the Prosecutor was drunk or sober?

Causter. I can't say for that. I was at *Charing-Cross* a little while before, and saw him (*Candy*) at the *Fountain Tavern*, and he was talking about having a Chair, and my Partner said, — *Candy* don't want a Chair, and in about half an Hour afterwards he came homewards. He said no more that Night, than he said in the Morning, nor was he so disorder'd, as to be incapable of knowing what he did.

Prisoner. Did not the Depury-Constable tell him he was a drunken, troublesome Fellow?

Causter. There was a Dispute in the Watch-house, and a great many People crowded about, so that I could not tell positively what the Constable said.

Edward Lewis, Constable. The Prisoner was brought to the Watch-house, and *Candy* charg'd him with taking his Hat. I was not there when he was first brought in, but *Candy* (I found) charged

charged him with taking his Hat, so I sent him to *Bridewell*, and afterward carry'd him before a Justice. This is the Hat; I have had it ever since in my Custody. *Candy* had been drinking, but was not so fuddled as not to know a Man. He told me, he had been serving Copies of Writs; he walk'd as well as at other Times, but he is but a lame Walker at best.

Jury. Who is your Deputy-Constable?

Lewis. We have no Deputy-Constable: One of our Watchmen is a Staff-man in the Parish; his Name is *Glover*.

Jury, to Candy. What is your Business?

Candy. I am a Porter at *Temple-Bar*, and have ply'd there these fifty Years. Here's a Gentleman in Court has known me a great many Years; I have received some Thousands of Pounds at his House.

The Gentleman. I have known him 25 Years: He is a Porter at *Temple-Bar*, and is employ'd by Gentlemen belonging to the *Temple*: I never heard any Thing amiss of him, nor of his being a drunken Fellow; with regard to that, I believe he is like other Porters. *Guilty, 10 d.

338. *Jarvis Ware* was indicted for stealing a grey Gelding, value 20 s. the Property of *William Row*, May 12.

William Row. On the 12th of May, I ty'd a grey Horse to a Post at the Bottom of *Pudding-Lane*, in *Thames-street*, while I went to Mr. *Demiller's*, an Oyl-Shop at the Corner of *St. Magnus Church*, to ease myself. I was gone about eight or ten Minutes: When I came back my Horse was gone, and I was ill, and unable to run about to see for him. I thought the Carmen might have play'd the Rogue with him, but a Woman told me, she saw a Boy get upon him and ride him away; and I never saw the Horse again 'till I saw him in the *Green-Yard*, which was about six Hours after I lost him. The *Green-Yard* is a Pound, belonging to the City; I am sure the Horse I found there, was the same I lost: I bought it of Mr. *Thompson* in *White-Chappel*.

Michael Kitchen. I was going along *Shoe-Lane* with my Fish, and saw a Man lay hold of the Horse, (the Prisoner being upon it) and somebody said, he believed the Horse was stole. I said, I made no Doubt but it was stole; for the Prisoner had been try'd for stealing Horses: So I took the Prisoner and brought him through *Newgate*, to-

wards the *Compter*. As I came along, a Man told me he knew who the Horse belonged to. I bid him fetch the Man, and he brought the Prosecutor, who own'd it directly. When I took the Prisoner, he told me a Man gave him the Horse to carry to the *Royal Exchange*.

Prisoner. I asked the Prosecutor to let me ride, and he gave me Leave, so I rode to *Temple-Bar*, and they took me, and put me in the *Compter*.

John Nettlefold, Constable. In *Cheapside*, at the Top of *Wood-street Kitchen* gave me Charge of the Prisoner, on Suspicion of stealing the Horse: So I put the Prisoner in the *Compter*, and sent the Horse to the *Green-Yard*, to be pounded. About an Hour afterwards Mr. *Row* came and owned it. It was the same Horse that I took with the Boy on his Back.

Ann Simons. I keep a Victualling House in the *Minories*. The Owner of the Horse (*William Row*) is an Acquaintance of mine, and I know his Horse. A young Lad, and an old mean-looking Man with him, brought the Horse to my Door, and having fastened him there, they came in, and called for six or eight Penn'orth of Veal. I having heard the Man (*Row*) say, he would never lend his Horse to the best Friend he had, — not even to his Wife, I asked them if Mr. *Row* was coming? I told them I was sure it was his Horse, and asked them if the Farmer was dead, because I knew he had been ill of an Asthma. By God, says the Boy, I bought the Horse at a Country Fair. I have a great many People come to my House, and am tender of swearing positively to the Prisoner, but there was an old mean looking Man with him, about fifty Years old, and he said, — damn it, — it was his own, and he bought it at such a Fair, but they both seemed to be surprized, and paid me nine Pence Half-penny, and went away. I knew the Horse, and gave him a Crust of Bread at the Door, as the Farmer used to do. This was (I think) last Saturday was a Month. And about three Days ago the Farmer told me, he was to go to the *Old Bailey* for Horse-stealing: I was surprized, and said, — What! you to go there for Horse-stealing, if you are, I will bail you, as far as a hundred Pounds; but at last I found he joked, and then I told him, I had seen his Horse with such Persons at the Door.

Prisoner. I was going down the Lane, where
B b this

* As this was laid for privately stealing from the Person, had the Jury found the Value to have been above 1 s. it had been a Capital Offence.

this Man says the Horse was ty'd to the Post, — I was going to my Father, who sells Brass Hooks at Coffee-Houses about the Exchange, and Billingsgate, and this Man bid me ride his Horse a little Way, — but not ride him too far: So I rode him to Temple Bar, and was coming back with him, the People stopped me, and Michael Kitchen charged the Constable with me, and said he knew me very well; so I was carry'd before my Lord-Mayor, and was sent here. I have Witnesses to call, — but they are not hereabout. Guilty, Death.

339, 340. William Maccollough, and Charlotte Jones, were indicted for stealing a Pair of Linnen Sheets, value 5s. two Harateen Bed-Curtains, value 5s. a Brass Candle-stick, val. 1s. and a Pair of Bellows, val. 1s. the Goods of William Pettit, in a Lodging let to the said Maccollough and Jones, June 5.

Maccollough, Guilty; Jones, Acquitted.

341. Sarah Weltshaw was indicted for stealing a Camblet Gown, value 2s. a Quilted Petticoat, value 1s. and a Pair of Womens Stuff-Damask Shoes, value 1s. the Goods of Jeremiah Lucraw, May 2. Guilty, 10d.

342. Thomas Rastat was indicted for stealing a Brass Potage-Pot, value 5s. and a Copper Tea-Kettle, value 2s. 6d. the Goods of James Kerton, June 1. Guilty.

343. Arthur Matthews, of St. James's, Westminster, was indicted for feloniously stealing a Promissory Note, signed Arthur Matthews, and dated January the 10th, 1738; value 5l. 5s. by which Note, the said Arthur promised to pay to James Lee, the said Sum of 5l. 5s. and was the Property of the said Lee: The said Sum of 5l. 5s. secured to be paid by the said Note, being unpaid and unsatisfied, Mar. 31.

James Lee and Ann Finn being called out, and not appearing, the Prisoner was Acquitted.

344. Charles Higginson was indicted for stealing two Pewter Pint-Pots, value 2s. the Goods of John Priest, May 14. Guilty.

345, 346, 347. James Clint, and John Brown, were indicted for stealing a Deal-Box, val. 3s. 20 Dozen of Lamb-Gloves, val. 16l. 10s. 13 Dozen of Kid-Skin ditto, value 13l. 15 Pair of Stockings, value 2l. 10s. 10 Pair of Cotton Gloves, value 1l. 1 Dozen of Thread Socks, val. 15s. 18 Yards of Pink-Brocade, val. 4l. 10s. 24 Yards of Persian Silk, val. 6l. 14 Yards and a half, and one Yard of Tabby, val. 3l. 10s. and other Things, the Goods of Charles Ashburn, April 28. And,

Mary Bullinbroke, alias, Mary the Wife of JAMES DEAL, (with Ossal Jonas, not yet taken) were indicted for receiving the same, knowing them to be stole.

Charles Ashburn. I am a Book-keeper to the Peterborough Waggon, at the Horse-shoe Inn, in Goswell-street. The Box of Goods was brought to me, on the 28th of April, it was taken in by my Servant, and was directed to Mrs. Barbara Fakeman, at Peterborough. The Goods were lost out of the Yard, and I paid 50l. for them.

John Spencer. On the 28th of April, ('twas Saturday Night) between Nine and Ten, I took in the Box to go by the Peterborough Waggon on Monday Morning to Mrs. Barbara Fakeman, at Peterborough. Mr. Marriot's Man brought it in, and a Carman brought up a Truss of Goods, and put it under the Shed, and the Box was set upon the Truss. The Prisoner Wint brought up the Carman's Whip after him, and I thought he had belonged to him. In less than Half an Hour, the Box was taken away, but I can't say the Prisoner took it.

Wint. Ask him whether he's positive I am the Person that brought the Carman his Whip?

Spencer. Yes.

Wint. Did you ever see me before?

Spencer. No.

Wint. Then how can you be positive; you say it was between Nine and Ten o'Clock at Night?

Spencer. I had a Candle and Lanthorn, and saw more Men at the Door, but I cannot swear the Prisoner Brown was one of them.

Wint. Are you positive that I brought the Carman his Whip?

Spencer. I don't care to swear it positively.

James Akins. This John Brown, Jimmy Wint and I were in Moorfields, playing at Skittles, and from thence all went through Coleman-street, and along the City, to see if any Chance offered. When we came to Aldersgate, we saw a Cart going through the Gate: Wint said, — here's a Chance, and he jumped up, and pulled the Box towards the Tail of the Cart, but at Long-Lane End, the Carman turned about and put it farther in the Cart again. We followed the Cart to the Horse-shoe-Inn; then the Carman took the Box to carry up the Inn, and cry'd, — who will hold my Whip? Wint said, — I will. Then the Carman took a Truss, and carry'd it and the Box up the Yard, and Wint followed with the Whip. In a little Time he came down the Yard again, and said, — 'twas hoddie enough; — we shall

shall have it presently. Then he went up the Yard again, and brought the Box as far as the Horse-Pond, but a Woman coming up the Yard he set it down, and when the Woman was gone, he went in again, and brought it clear off. Brown stood at the Watch-House at a little Distance from the Inn, and I sat upon a Bench, where I could see all he did; we kept asunder, that the People might have no Occasion to suspect us, from seeing too many of us together. I have known Wint and Brown a great while, and here's a Man they call the Handsome Drawer, that has often seen us together.

Robert Staples, the Handsome Drawer. I am Servant at the Farthing Pye House, the Sign of the Maiden-Head, a Publick-House on Windmill Hill. I have seen them several Times together, but can't recollect the particular Days. I have often seen them together in Moorfields, and they have been several Times, since last Christmas at our House, and at other Ale-houses. I know nothing of their Characters, for I never conversed with them, nor do I know how they get their Bread. I have heard, that one of them is a Calender, and the other a Weaver.

Wint. Have you ever heard any Harm of me?

Staples. Harm! — I never saw any thing of Harm. — I have heard but an indifferent Character of them. — I can alledge nothing against them. — I have heard their Characters are but indifferent.

Akins. When we had got the Box, we carry'd it into the Fields, and there we broke it open, and took out the Goods. We carried them to my Room, and fetch'd Bullinbroke and Deal to buy them. We bargained for 7 l. 8 s. 6 d. She knows 'tis true, and that this was not the first Time she has been at our House, and she knew how we came by our Goods. I went to her that very Night about Eleven o'Clock, and she told me, she could not come to look at the Things that Night, but she lent me a Shilling, and she was at that Time a-bed with Deal. On Sunday Morning she came to see the Goods; we bargained, and she took the Silk away with her then, and gave us a Guinea in Part, out of a Green Purse.

On Monday Morning they came and took more of them, and gave us another Guinea, and in the Afternoon they came and took all the rest away, and paid us the rest of the Money.

Bullinbroke. Did I, or Femmy Deal, buy the Goods?

Akins. She made a Bargain for the Silk, and was to give four Guineas for it. Deal and she fetch'd away the Gloves in a Hand-Basket. The Woman knows me very well; her Husband, William Bullinbroke was hanged* a very little while ago. And Wint was an Evidence against Grafton Kirk and Terry Gerrard†.

Wint. I have People to speak to my Character, ever since I was Guilty of that Fault.

Jonas Meredith. I come to speak for the young Man, — I can't think of his Name, — but I know him; my Brother marry'd his Mother, — I can't think of his Name, — he never wronged any body in the World.

John Anderson. I live in Brick-Lane; am a Broker and a Weaver too. I come to speak for John Culverwell, —

Brown. That's my right Name.

Anderson. He is a Journey-man Weaver by Trade, and I have seen him at Work at his Father-in-Law's, — Joseph Meredith, in Angel-Alley; I believe I have seen him at Work, within these twelve Months. As to his general Character, I have heard but very little amiss of him. — He might be given to Drinking, or so, — I have not heard much against him.

Mr. Chamberlen. On the 23d of May, Brown was bought before me, and made a voluntary Information of ten or twelve Robberies, and put Akins into his Information. I had heard of this Robbery, in Goswell-street, and asked him if he was concerned in that. He said, — upon his Word he was not. I bid him conceal nothing, and told him, if I found he did, I would have nothing to say to him. Akins had put this Robbery into his Information, and so I would not stop him. If Brown had confessed this, I should have admitted him an Evidence against Akins.

Three Witnesses appeared for Brown. One always thought him to be honest and just: Another took him to be a sober Lad, but as to his Character

* He was convicted last December Sessions. See his Trial, No. 16.

† They were convicted December 1737, for robbing Captain Gough, and Mr. Adams in the Endfield Coach.

rather, he never enquired into that; and the 3d never knew any Harm of him.

A Woman appear'd for *Wint*, and gave an Account that she had employ'd him in carrying Fruit, Greens, &c. for her to *Spittlefields Market*; that he did this Business for her about four Months, and then enter'd himself on Board a Man of War; that he came home about *Christmas* last, and since that Time had fetch'd Scores of Pounds for her.

Jury. Had *Brown* Part of the Money?

Akins. Yes. Out of the first Guinea we had 7 s. a-piece, and the Money was shar'd in the Room where we liv'd. The other Guinea was shar'd in the Street, at *Whitechappel*, and the rest we shar'd in the Afternoon. *Brown* had his Share of the whole. *Wint*, Guilty. *Brown*, *Acquitted. *Bullinbroke*, Guilty.

348. *James Wint* was [the next Day] indicted for stealing two Men's Velvet Morning Caps, val. 8 s. a Child's ditto, val. 5 s. two Velvet Hoods, val. 12 s. and twenty-six striped Linnen Handkerchiefs, val. 18 s. the Goods of *John Malton*, in his Dwelling-house, Apr. 5.

Elizabeth Malton. On the 5th of *April*, about Eight o'Clock in the Evening, I came into the Shop, and found this *Akins* with a Piece of Ribbon in his Hand, ('twas my Father's Shop) so I seiz'd him with the Ribbon in his Hand, but he got from me, and I pursu'd him quite cross the Street, and got him down upon the Ground; his Hat fell off, and I took it up: This is the Hat. I don't know the Prisoner, but I am positive the Evidence is the Man that was in the Shop. We lost the Things mentioned in the Indictment, among which were a Parcel of Linnen Handkerchiefs,——how many I can't exactly tell, but I am sure there were two Dozen, and we miss'd them, and the other Things, the Minute the Evidence was got out of the Shop; I am sure they were there when he came in. I am positive to the Evidence, for I spoke to him in the Shop, and as I pursu'd him in the Street, a shorter Man than he took hold of my Gown-sleeve, to prevent my following him, and said,——Don't follow him, Child, for you can't catch him,——he is run away.

Prisoner. Was I the Man that laid hold of you?

Malton. No: 'Twas much such another as *Brown*.

James Akins. This *John Brown* and I, and

the Prisoner, were going along *Bishopsgate-street*, and seeing no body in this Shop, *Brown* went in, and brought two Caps,——
Prisoner. He'll say any Thing, as he did in the former Trial.

Akins. It was between Eight and Nine o'Clock at Night, but I can't say what Day it was, but 'twas in *April*: We were going to see what we could steal, and seeing this Shop, and no body in it, at the Corner of *Artillery-Lane*, *Brown* went in, and got hold of a Piece of Ribbon, and this young Woman took hold of me as I was coming out, and asked me what I wanted. We had taken out the Goods they lost before she seiz'd me; there were five Velvet Caps and Hoods, and twenty-six Linnen Handkerchiefs: Among the Velvet Things, there were two Mens Caps, and a Child's, with a Button at the Top, and two Hoods, which makes five in all. After *Brown* had fetch'd out two, I went in, and brought out three,——the Child's Cap, and the two Hoods;——*Wint* stood in the Middle of the Highway, and what we got, we deliver'd to him: He knew we went into the Shop to steal the Goods. After we had got these Things, I went in again, and laid hold of a Piece of Ribbon, but this young Woman caught me; I ran from her into the Street; she follow'd me, I fell down, and she fell upon me; my Hat fell off in the Scuffle, and I got from her, (without staying to take it up) and ran away down *Dunning's-Alley*. *Brown* was at the Door, when I ran out of the Shop, and the Prisoner, (who stood in the Highway) ran away when he saw the Bustle, but when it was over, we met at *Moll Bullinbroke's*, in *Three-Tun Alley*, the Corner of the *Rope-walk*, (near *Rosemary-Lane*) and we sold all we had got for a Guinea, and divided 7 s. a-piece.

Wint. Ask him, (on his Oath) whether I had not parted with him that Night, and had not bid him Good-Night? And whether he did not run after me, and say,——*Here's a Chance*: Whether I did not say,——Where! And whether he did not tell me of this Shop, and when he brought the Caps to me, I did not say,——I would not be concern'd? The young Woman did cry out, *Stop Thief!* but I was not concern'd with them.

Akins. 'Tis no such Thing; for we never parted from Twelve o'Clock at Noon, till after the Fact was committed.

John

* *Wint*, before the *Jury* gave their Verdict, declared that *Brown* was innocent.

John Brown. (who was try'd with Wint in the preceding Trial) Wint and Akins call'd me out about Twelve at Noon, and we went into Moor-fields, and play'd at Cricket till 'twas dark. Then we came through the Tenter-grounds, and through Sun-street, and bid Akins Good-Night, and he cross'd the Way from us, and went into this Shop. When he had got some of the Things, he call'd after us; and then I went in and got some more: The Prisoner came back, and stood in the Middle of the Highway. I brought out two Mens Caps, and gave them to Akins;—what he did with them I don't know,——but I gave none to the Prisoner. Indeed Akins gave all he got to him, (the Prisoner.) I found he had, when we afterwards met together, for when we met, he had (in his Possession) all that was got by us. 'Twas two Hours before we met together,——because there was a great Up-roar in the Street about us.

Q. On what Intent did you go out together?
Brown. We did not design to go out with him, (Akins) but only as these Things lay so, (conveniently) he call'd us, and then we went with him to rob the Shop. The Prisoner and I were going away from him.

Q. On your Oath, and as you must answer for the Breach of that Oath to God, did you all go out with an Intent to rob,—or not?

Brown. Not before this Akins call'd us.

The Witness was ask'd again in a solemn Manner, (and reminded of his Oath, and the tremendous Consequences of calling God to help him in an Untruth) whether they did not go out that Night with an Intent to steal?

Brown. ——Yes, ——and the Prisoner stood on the other Side the Kennel, over against the Shop, and took the Things from us. And we afterwards met at Bullinbroke's Lodgings, by Rosemary-Lane, and sold them to *Jamer Deal*, who lives with her as her Husband, for a Guinea, and the Prisoner had 7 s. of the Money. There were but twenty-one Handkerchiefs.

Wint. *Brown* says there were but twenty-one, and others swear there were twenty-six,—that's five Handkerchiefs Difference.

Akins. I can't tell whether they were all sold; but I saw twenty-six upon the Bed in Bullinbroke's Lodgings.

Brown. There were but twenty-one, and they, with the rest of the Things, were sold for a Guinea, and the Prisoner had 7 s. of the Money.

Wint. Did Akins quit the Handkerchiefs before they were sold?

Akins. We went down Stairs, and left them upon the Bed, and afterwards had the Money.

Wint. But did not I come down Stairs with you?

Akins. I came down first; the Prisoner follow'd: We all came down, one after another.

Wint. And I am afraid, you'll soon follow me. Guilty, Death.

342. *Joseph Patridge* was indicted (with *James Stiles* not taken) for breaking and entering the Dwelling house of *Stephen Vannie*, about the Hour of Twelve at Night, and stealing a Sirloin of Beef, val. 6 s. two Springs of Pork, val. 5 s. a 14 lb. Leaden Weight, val. 14 d. an Iron 7 lb. Weight, val. 7 d. and a 4 lb. Leaden Weight, val. 4 d. in his Dwelling-house, Dec. 20.

Vannie. They broke my Shop, and I lost all my Meat; two Springs of Pork, a Sirloin and a veiny Piece of Beef, a Loin of Pork, and some Pieces more; —— they took my Tray, —— and all. And I lost all my Weights; ——there was a 14 lb. Weight, a 7 lb. and two 4 lb. Weights; ——they took all. They broke my Shop, though I lie in my Bed next to my Shop. I lost them a little before Christmas, and miss'd them the next Day, about Eleven or Twelve o'Clock at Noon, ——but I am not certain neither.

Prisoner. When did you see them last, before you miss'd them?

Vannie. Oh!—next Morning. I went to Bed, between Nine and Ten, ——for my Wife was dead at that Time, and my House was fast, ——all the Doors and Windows fast, when I went to Bed. ——Yes, yes,—I am sure of that, and my Beef and Pork were there then. I got up next Morning between Five and Six o'Clock, and I found my House very well, ——all, but my Shop broke, and my Meat gone. The Shutter was broke, I found it broke before Day-light,—before Five o'Clock, when I get up. I found all my Things gone by Candle-light next Morning. ——I never had a Bit of my Things at all, and I made no Complaint about them.

Prisoner. And did you lose your Weights the same Time you lost your Meat?

Vannie. I can't be sure of that.

John Lewis. The Prisoner, *Stiles*, and I went into *Hog-Lane*, and broke open this *Frenchman's* Shop; and we stole a Sirloin of Beef, a Fore-loin of Pork, and a Veiny-Piece of Beef: This was on a Saturday Night, between Twelve and One o'Clock, about five or six Months ago. We broke the Shutter in half, and had it not been

for his two Dogs, we should have gone into his Back-room. We broke the Shutter, but none of us went in, the Dogs prevented us, so we only put our Arms in, and took the Meat, some of which we sold, the rest we kept for our own Eating; what we sold, — we sold to one Mrs. Watts, and the Money was divided among us. Acquitted.

350, 351. Joseph Watridge and William Alexander, (with James Styles, not taken) were indicted for stealing a quilted Petticoat, val. 2 s. 6 d. a Calicoe Gown, val. 1 s. 6 d. and other Things, the Goods of Mary Evans, Widow, Nov. 28. Both Guilty.

352, 353, 354. Edward Jenkinson, Anthony Glas, and John Wright were indicted for stealing two Cocks, val. 2 s. and two Hens, val. 1 s. The Goods of Joel Alderton, Apr. 10.

Alderton. The Beginning of April I lost two Cocks, and two Hens, out of my Celler under my Shop in Covent-Garden: I don't know who stole them.

John Lewis. Wright broke open the Cellar-Door, and Jenkinson went down and kill'd two Cocks and two Hens; they three took one a-piece for their Share, and I carry'd one home to my Lodging.

Jenkinson. I can't say any Thing to it.

Glas. Did any body come by while this was doing?

Lewis. Yes; and then we shut down the Cellar-Door.

Wright. I have nothing to say about it. All Guilty.

355, 356. John Wright and William Alexander were again indicted, with Matthias Francis, for stealing four Hats, val. 17 s. the Goods of Ann Descombel, Widow, in her Shop, Dec. 4. All Guilty, 4 s. 10 d.

357. William Alexander was indicted for breaking and entering the Dwelling-house of Jacob Mannicau, about Eight at Night, and stealing a great Cloth Coat, val. 5 s. Jan. 10. Guilty, Felony.

358. Matthias Francis was indicted for stealing a Leaden Pump, val. 3 s. and a Leaden Rain-water Cistern-head, val. 2 s. the Goods of William Wright, in his Shop, Dec. 27. And,

359. * Jeremiah Whitehurst was indicted for receiving the same, knowing them to be stole, Dec. 27.

William Wright. On the 27th of December, it being Holiday-time, I went out about One o'Clock at Noon, and left one Shutter down, in the Front of my Shop, and order'd my Maid to shut up the Shop in the Close of the Evening. The next Morning I mis'd the Things mention'd in the Indictment, and which stood in the Window when I went out. I keep a Plumber's Shop, and I believe the Goods might weigh about 1 C. Weight. I never heard any thing of them till the Evidence was before Mr. Deveil.

John Lewis. The Prisoner and I, and one Miller (not taken) came by this Plumber's Shop, in Compton street, in the Christmas Week, and seeing the Shutters just open, we push'd them on one Side, and took out the Cistern-head, which we sent by the Prisoner Francis to Whitehurst; then we got the Pump, and carry'd it to him, and he gave us 5 s. 6 d. for them.

Wright. They were of the Value of 3 l.

Lewis. Whitehurst is a Man who buys such Things; he knew how we came by them, which was the Reason of his having them so cheap. He has been try'd four or five Times for such Things before this Time.

Francis. We did not sell them to this Man; we sold them to one Lambeth in Compton street.

Lewis. Whitehurst gave me Half-a-Crown this very Day, to clear him upon this Trial, and promised me three Half-Crowns more when he was clear'd: This is the very same Half-Crown he gave me under the Leads this Day. He was let out of the Place where the Prisoners are lock'd up, to take the Air.

Mr. Townsend. He was let out to air himself, and I saw him in the Yard; but I did not see the Witness there.

Lewis. I was there; and his Wife took it out of his Pocket, and gave it another Woman to give me.

Whitehurst. I gave him none; I have not had Half-a-Crown in my Pocket this Month.

Luke Griffith. I have been Whitehurst's Neighbour five or six Years; I know nothing of his Character,—but that he's a hard working Man.

Joseph

Joseph Parkes and John Hatherly had known him ten or twelve Years, and knew nothing but that he was a laborious Man. Francis, Guilty, 4 s. 10 d. Whitehurst, Guilty.

John Lewis was an Evidence against the Prisoners on the six preceding Indictments.

360. Matthias Francis was again indicted with John Fife, for stealing two Pair of Iron Pinchers, val. 18 d. a Pair of Iron Pinchers, val. 4 d. and other Shoemakers Tools, the Goods of Robert Loosmore, May 11. Fife, Guilty. Francis, Acquitted.

361, 362. John Clency, and Nathaniel Dutton, were indicted for stealing six Ashen Rafter, val. 24 s. the Goods of George White, Mar. 23. Both Guilty.

363. John James, was indicted for stealing four Pewrer Plates, val. 2 s. 6 d. a Copper Pot, val. 4 s. and other Things, the Property of Thomas Robotham, June 5. Guilty.

364. John Fowler was indicted (with Edward Glascock, not taken) for stealing 300 lb. of Bacon, val. 5 l. and six Bushels of Salt, val. 20 s. the Goods of James Odell, in his Ware-house, Jan. 25. Acquitted.

365. Joseph Coleman was indicted for stealing a Cloth Coat, val. 20 s. the Goods of John Sharp, Gent. May. 9. Guilty.

366. Edward Hunt was indicted for stealing a Hair Sack, val. 4 s. and two Deer-skins dress'd in Oyl, val. 10 s. the Goods of Henry Bullock, March 31. Guilty.

367. William Cary was indicted for stealing a Gold Watch, with an out-side Case made of Silver, gilt, val. 6 l. two Gold Pendants for Watches, val. 12 s. two Pair of Chrysal Buttons set in Gold, val. 10 s. two Guineas, and 4 s. in Money; a Gold Ring set with eight Stones, val. 18 s. a Silver Watch Chain, val. 12 d. and a Pair of Cloth Breeches, val. 12 d. the Goods of William Elliot. And a brown Silk Camblet Coat, val. 10 s. a Scarlet Lepelle Waistcoat, val. 4 s. a Pair of brown Silk Camblet Breeches, val. 12 d. and a Pair of Serge ditto, val. 12 d. the Goods of George Goodman, in the Dwelling-house of George Lumley, Jan. 12.

William Elliot. I lodged in Lumley's House in the Old Bailly: The Prisoner was recommended to me by Lumley, as an honest Man, so I let him live with me; and on Friday, the 12th of January, he stripp'd me of all I had in the World, and did not leave me one Farthing to save my Life. All the Goods and Money mention'd in the

Indictment as my Property, and I am sure the Prisoner is the Man who robb'd me; I don't say I saw him take them away, but he was taken with them all upon him. I am sure I never took a Farthing from him but us'd to give him Three-Halfpence every Morning. I won't tell a Lie for the whole Globe. I had all the Things in my Pocket, and was to have gone to Flanders on Monday Morning, if I had not been robb'd. I should have been gone gone before, if I had not waited for some Things a Man was making for me to carry with me. I never saw the Prisoner from the Time I was robb'd till now.

William Whiteer. (or Whitehead) I lodged in Shoe Lane, at a Woman's House, who us'd to sell a Dram. The Prisoner frequently came there for a Dram; and I have now and then drank a Dram with him. On the 12th of January, between Five and Six in the Morning, he knock'd at the Door, and said he came to pay my Landlady 6 d. or 7 d. which he ow'd her; she let him in, and he asked for me; she told him I was a-bed, and he bid her call me down to drink a Dram with him, and tell me he had some Shipmates at Brentford, who had appointed him to meet them there, in order to sell some India Goods: I would not go down, so he came up to my Bed-side, with half a Pint of Gin in his Hand, and my Bed-fellow and I drank two Glasses a-piece, and he told me he was to meet some Shipmates at Eleven o'Clock, at Brentford, and if I would go with him he would give me a Crown: So I set out with him; and in Piccadilly, as we pass'd a Night-cellar, I said, a Draught of Beer will do us no Harm after our Drains; so we went in and drank. While we were in the Night-cellar, he pull'd out this Watch; I asked him what 'twas o'Clock? He could not tell; so I took it out of his Hand, and found it stood; I wound it up, and set it a-going, then he took it, and put it in his Pocket. At Brentford he shew'd it me again, and told me it cost him 15 l. I guess'd it at 10 l. and imagin'd it was only Pinckbeck's Metal, but he took a Knife, and upon scraping the Edges of the Case, found it to be Silver. After we had eat a Rasher of Bacon, he told me he could not stay, for he was going to Bristol, and from thence to Ireland, and he desired me not to take any Notice where he was gone: So I left him, and came homewards, and being afterwards at the Bull and Garter, by the Ditch-side, I saw an Advertisement, which occasion'd my telling the Landlord that I had been that very Day with the Prisoner

* Whitehurst had been try'd several Times before, as a Receiver from Felons, and but last Sessions was try'd as a Principal, for stealing an Iron Chain, the Property of the Governor and Company of the New-River Water. See Sessions-Book, 1739, p. 78, No. 271.

Prisoner at *Eventford*; so we went to *Lumley*, and he and I hired Horses to pursue him. At *Reading*, *Lumley* could go no farther; but I went on to *Newbury* and seized him, with all the Goods upon him: A Gold Ring set with Stones, a Gold Watch, the out-side of which was Silver, gilt; a Gold Stone Ring; the Gold Buttons, and the Gold Pendants, &c. All which I delivered to *Lumley*, who had advertised him. I did not search him for Money, but all the rest of the Things were found on him, except the Cloth Breeches. I then charged him with the Robbery, and he owned it, and said he took the Breeches out of the Chair, in *Elliot's* Room. He had a Silk Camblet Coat, a Scarlet Lepelle Waistcoat, and two Pair of Breeches on; one Pair was Silk Camblet, I don't remember what the other was. The Prisoner own'd he stole all these Things in *George Lumley's* House, in the *Old Bailly*, and they were delivered to *Lumley*.

George Lumley. The Goods are all here but the Watch, and I borrowed Money upon that when I came from pursuing the Prisoner, for I had spent Money upon the Road, and *Elliot* told me, he would pay my Charges. I staid at *Reading*, and Mr. *Whiteer* brought the Prisoner to me, and he gave me the Gold Pendants and the Silver Watch chain, because he owed me Money, 45 s. when he went away; I asked him for Money, but he gave me no more than six or seven Shillings, I borrowed Money at the *Elephant and Castle*, in *Fleet Lane*, to go with *Whiteer* after the Prisoner, who had left all his Things at my House, and had taken *Elliot's*. There were two Pair of the Breeches, and the Lepelle Waistcoat belong'd to another Lodger, one *John Goodwin*, and that Waistcoat I have now at Home, for *Goodwin* is gone abroad, and would not take it with him.

William Goodball. Here are the small Things: *Lumley* brought them to me, and I lent him 10 s. upon them. Here's a Ring, and a Pair of Buttons, set in Gold, a Pair of Gold Pendants, and a Watch-chain. *Lumley* told me he pawned them by the Direction of the Prosecutor.

Lumley. The Watch I pawned to a Gentleman in *Charterhouse-Lane*, — but I don't know his Name. I had laid out 3 l. 9 s. on my Journey, and when I came Home, I had no Money for my Family, so I pawned the Things.

Elliot. I never had a Word of Discourse with *Lumley* about pawning the Goods. When he came Home, he told me, he had taken Care of the Chap, (the Prisoner) and had taken fresh Horses

at *Reading*, and so went to *Newbury*, where he seized the Prisoner, and brought him to *Reading*. Well, says I, what have you done with my Goods? Your Goods, says he, are in the Justice of Peace's Hands, at *Reading*. He had no Money when he went after the Prisoner; and when he came Home, I observed he was very flush in Money, but he never said a Word of his having pawned my Goods, 'till six Weeks or two Months after he came back.

Lumley. I mention'd it to him, about a Fortnight or three Weeks after I had pawned them.

Prisoner. I gave *Elliot* six Ounces of Gold for these Goods.

Elliot. I never had to the Value of a Pin, or a Pin's Point, from him in my Life, as I am in the Presence of Almighty God.

Lumley. *Whiteer* brought all the Things in his Pocket to me at *Reading*, except the Gold Buttons and Pendants; they were in the Breeches the Prisoner had on, and he told Justice *Pottinger* he took them instead of his own, and found the Things in them. *Whiteer* said he would hang the Prisoner, — he would hang him for the Reward of 40 s. which I had promised for taking him.

Whiteer. I did demand the 40 s. of *Lumley*, and he abused me in a scandalous Manner, and told me the Man should not be hanged on any Account, and he himself would appear a Witness against me.

Roger Lewis. The Prisoner has been in my House about five Months ago, and behaved well. I have heard *Whiteer* say, he would do what he could to hang the Prisoner. He said it was his Due, and he would take Care he should be hang'd, if possible. I can't say I heard any Thing mentioned about the Reward.

The Court order'd *Lumley* to produce the Watch, and Restitution to be made of that and the other Goods to *Elliot*, and the Jury found the Prisoner Guilty of the Indictment. Death.

368. *Jane Ladine* was indicted for stealing a Glass Decanter, value 1 s. and a Pewter Dish, value 3 s. the Goods of *Charles Burnet*, May, 28. Guilty, 10 d.

369. *Charles Cross* was indicted for breaking and entering the Dwelling-House of *William Metbald*, between the Hours of Nine and Ten at Night, and stealing a Silver Cup, value 40 s. a Weather Glass, value 6 s. a Man's Hat, value 1 s. and a Woman's Scarlet Cloak, value 7 s. Feb. 24. Guilty, Felony.

370. **Michael Berry** was indicted for stealing a Pair of Worsted Stockings, value 5 s. the Goods of *William Mead*, May 7. Guilty.

He was a second Time indicted for stealing 2 Linnen Shirts, value 6 d. a Linnen Skirt of a Child's Frock, value 5 s. and several other Things, the Goods of *Edward Green*, May 7. Guilty.

371. **Bertram Bird** was indicted for stealing a Watch, with an out-side Case made of Base Metal mixed, and an in-side Case made of Gold, val. 39 s. the Goods of *William Lambert*, Mar. 26. Guilty, Felony.

372. **Joseph Fume** was indicted for stealing a Copper Sauce-pan, value 3 s. 6 d. the Goods of *Thomas Sturges*, May 8. Guilty.

373. **Mary Roach** was indicted for stealing a Cambrick Hood, value 6 d. a Pair of Cotton Stockings, value 12 d. and other Things, the Goods of *Benjamin Lewis*, May 13. Guilty 10 d.

374. **James Darlington** was indicted for breaking and entering the Dwelling-House of *John Stubbs*, about Five in the Forenoon, (one *Mark Dowd* being in * the said House) and stealing a Copper Kettle, val. 10 s. and a Box Iron, value 3 s. the Goods of the said *Stubbs*, May 7. Guilty, Felony only.

375. **Hannah Blupman**, alias **Blithman**, was indicted for stealing a Dimitty Waistcoat, value 4 s. the Goods of *John Winnal*; a Linnen Shirt, value 3 s. the Goods of *Lawrence Winnal*; a Linnen Shift, value 2 s. the Goods of *William Hardcastle*; and a Linnen Shirt, val 2 s. the Goods of *John Dainty*, May 4. Guilty, Felony.

376. **Charles Stuart Seymour** was indicted for stealing a Cambrick Mob, laced, value 1 l. 8 s. a Cambrick Ruffle, value 2 s. the Goods of *Sarah Calthorp*; a Paris Mob, laced, value 4 l. a Pair of Cambrick Ruffles, laced, value 5 l. the Goods of *Elizabeth Calthorp*; a Muslin Apron, value 8 s. a Cambrick Mob, value 6 s. the Goods of *Catherine Calthorp*; and several other Goods, the Property of sundry Persons, in the Dwelling-House of *William Miller*, May 3. Guilty, 39 s.

377. **Edward Goodman** was indicted for wilful and corrupt Perjury in his Evidence against *Brogdon Poplet*, in February Sessions, at the Old Bailey.

The Council for the Prosecution having open'd the Charge, and the Nature of the Offence, the Copy of the Record of *Mr. Poplet's* Acquittal was

produced, and read.

Mr. William Keat. I was present at *Poplet's* Trial, and remember *Goodman's* being in Court. I saw him sworn in the usual Manner. The Indictment against *Poplet*, was for privately taking from him 13 s. 6 d. He swore, That as he was going on the 9th of February, in a Coach from *Newgate* to the Judges Chambers in *Chancery Lane*, the Person that sat against him in the Coach, stopped his Mouth, near the *Fleet Market*, and that *Brogdon Poplet* took from him 13 s. 6 d. by Force. There was a Question subsequent to this; he was asked, — of what particular Pieces the 13 s. 6 d. consisted? *Goodman* answered, — two Half Crowns, eight Shillings, and a Sixpence. He was then asked, how lately he had seen that Money? He answered, — about a Quarter of an Hour before. He was asked, in what Manner the Money was taken from him? He made answer, — that *Poplet* put his Hands into his Breeches Pocket, and took the Money from him by Force. He said, he had been robbed and beat by *Poplet*. These are the Words which were sworn upon that Trial.

Counc. You have given a long Evidence; — did you put the Words down in Writing?

Mr. Keat. Not at that Instant. I did not take them down in Writing at that Time; but after the Trial was over, we went to a Tavern (*The Baptist's Head*) in the Neighbourhood, and staid there two or three Hours, and had some Refreshment.

Counc. Then you took down the very Words you have repeated at the Tavern.

Mr. Keate. I did; and have the Paper now at home, among my other Papers; I saw it within these three or four Days.

Counc. How many Hours did the Trial last?

Mr. Keat. Not above half an Hour. *Mr. Poplet* said at the Tavern, he had been grievously injured, and would indict him for Perjury: And the Pen and Ink was called for, in about a Quarter of an Hour after we went in, and I wrote down the Evidence, and reduced them into an Indictment the next Day.

Counc. Did not *Poplet* move for a Copy of his Indictment when the Trial was over?

Mr. Keat. He was was going to speak something to that Effect, but was told, that *Goodman* was a Prisoner, and it would be of no Service to him.

D d

Counc.

* Robbery in a House, when any of the Family is therein, and put in Fear, is a Capital Offence.

Counc. When the Order was obtained from the Attorney General that you should have a Copy, did any one attend on Goodman's Behalf, to shew cause to the contrary.

Mr. Keat. No; no body at all. Goodman has since owned to me, that he did swear he was going in a Coach from Newgate, to Chancery Lane, and lost 13 s. 6 d. in the Coach.

Mr. Poplet offering to be sworn, the Council for the Defendant objected to his giving Evidence, but the Objections were not allowed.

Poplet. I am an Officer to the Sheriff of Middlesex. In February last, three Countrymen came to my House and enquired after Goodman, telling me they wanted to arrest him for five or six Horses, he had brought from Northamptonshire, and had not paid for them. I bid them get Processes according to Law, and I would endeavour to take him. Accordingly on the 5th of February I saw him go into a Tavern, and a Woman followed him; I arrested him, and the Son was with him and another Man; there was Edward Goodman, Thomas Goodman, and Phillip Spencer. I had five Warrants against him, and he had been sheltered in the Globe-Tavern, in Drury Lane, over-against my House for a Month, and when I endeavoured to take him, they opposed me with Sticks, and broke my Head; but I over-powered him, and got him to my House. Then I asked him if he would go into another Officer's House, for 24 Hours? He said, G—d d—mn you, you Rogue, I will hang you. This is one of the Warrants I had against him, but that, by vertue of which I carry'd him to Newgate, I have not about me. I told him he was a Gilly Man, and that I never had done any Thing to deserve Hanging in my Life, and asked him again, if he would go to another Officer's House? He said, he was protected by Baron Bothmar, and would go to Newgate, so I carry'd him there; and Mr. Hopkins afterward writing to me, to get the Return of a Habeas Corpus, in order to carry him to the Fleet, I bid Murphey get a Coach, and he and I took Goodman into the Coach, to carry him to the Judges Chambers. As we went along, he wanted to go to Fleet-Lane, and put his Head out of the Coach, and call'd out, Bailiffs! Bailiffs!—take me away: There was only Brogdon Poplet, (himself) James Murphey and Goodman in the Coach. He was never insulted; no one touch'd his Mouth, nor a Farthing of his Money: He did receive a Blow on the Side of his Head, by a Jolt of the Coach, when he was straining to get out of the Coach-window; he never complain'd;—when

we came out of the Coach, there were the two Tip-staves, and we went to the Judges Chambers, and the Clerk indorsed the Habeas, yet he did not complain, as I heard.

Counc. Here,——Poplet,——you swear he was never insulted, &c. on your Oath when he came to the Chambers, was not he very bloody?

Poplet. No Marks of Violence,——there was a Blow on the Side of his Head, by the Jolt of the Coach. If there was any Complaint made it was whisper'd among themselves.

James Murphey confirm'd Poplet's Evidence.

Benjamin Boxall said, he saw Goodman and his Son knocking down Poplet at the Globe Tavern in Drury Lane, but Poplet being too strong for them, carry'd him to his House, and ask'd him if he would go to any other Officer's House? That Goodman call'd him Names, and said he would hang him, and Goodman told him he would go to Newgate, for he had a Protection, and should then be near home,——the Hartshorn Inn, in Smithfield, where (he said) he lodged.

Lawrence Sherwood swore, he had heard Goodman complain of having been evilly treated by Poplet, but at that Time he did not say he had been robb'd. That about two Days afterwards he saw him again, where he had seen him before, (at Mr. Jones's in Fleet-Lane) and then he complain'd that Poplet had indicted him in the Crown, but he did not say any Thing of the Robbery, nor did he hear him say any Thing about it, till the Night before the Bill was found against Poplet. The Witness said, he had heard it whisper'd by others, that Goodman had told Jones he had been robb'd; upon which he asked Goodman what he had lost, and he told him,——there were two others in the Coach with him; and they stopp'd a Handkerchief in his Mouth, and took from him two Half crowns, and 3 s. and 6 d. and this the Witness said, he penn'd down,——in his Mind, and advis'd him to indict Poplet by his Name, for robbing him with two other Persons unknown.

John Chapman gave an Account that Goodman complain'd to him, that Poplet and two others with him robb'd him in the Coach of three Guineas.

Goodman's Council after having open'd the Evidence in his Defence call'd

Mr. John Phillips, (Tipstaff) depos'd, that he was call'd out of the Coffee-house to carry Goodman to the Judges Chambers, but Goodman would not come out of the Coach, for (he said) they were going to rob and murder him: That he was bloody, and complain'd in the Chambers that he

was hoak'd with Blood, and wanted something to drink, but he did not hear him say any thing about Money.

Francis Harling was sent for, to come to *Goodman* the next Day: He found he had been much abused; his Head broke, and his Stomach black and blue. *Goodman* then told him, he had been abused by Bailiffs, and had been robb'd of 13 s. and 6 d.

Mr. Hopkins depos'd he came to *Jones's* to take Bond for *Goodman*, and he complain'd he had been robb'd of 13 s. and 6 d. by *Poplet*, and appear'd to have been very ill used.

Mr. Gumley depos'd, that he saw *Goodman* that Night, and he complain'd he had been robb'd of 13 s. 6 d. by *Poplet* and two others, and had been abused by them in the Coach. This Witness, and *Mr. Yewen*, *John Jones*, and *William Selwood*, gave the Prisoner a good Character.

Mr. Lane saw him the Night he was committed to the Fleet, and depos'd, That he complain'd of having been very much beaten by *Poplet*, and that he had been robbed by him of 13 s. 6 d. This Witness said, the Man was really in a very bad Condition. Acquitted.

378, 379. *Samuel Bird*, and *Susannah Clark*, were indicted for assaulting *Mary Edwards*; *Bird*, for feloniously, violently, and against her Will, ravishing and carnally knowing the said *Edwards*, and *Clark* for being present, aiding, comforting, &c. him the said *Bird*, the said Felony to commit, &c.

Mary Edwards depos'd, she was 14 Years old, and lived at the *Bell Ale-house*, in *George-Alley*, near *Fleet-ditch*. That on a *Thursday* or *Friday*, (three or four Days before the Prisoners were taken up) a Woman, whose Name was *Nanny*, bid her carry a Pot of Beer to *Clark's* Room, up one Pair of Stairs, over against the Ale-house in which she liv'd. That as she went up Stairs with the Beer, *Bird* met her upon the Stairs, took the Drink from her, and pull'd her into the Room. That he set the Beer down on a Table, and threw her down on the Bed, *Clark* and *Nanny* being both in the Room at the same Time. That *Clark* shut the Door, and then sat down by the Fire, while *Bird* kiss'd her, &c. (the Witness express'd herself in Terms necessary to prove a Charge of this Nature) She said, *Clark* swore at her for crying out; and *Nanny* went down Stairs, and told another Woman what had been done, and this Woman told her Grandfather. This Usage happen'd to her, (she said) between Three and Four o'Clock, and *Clark* open'd the Door

after the Witness had been in the Room about a Quarter of an Hour, and she went home directly, but nothing was mention'd of the Affair, till *Sunday* Noon. That her Grandfather then scolded at *Clark*, and talk'd to the Witness about it, but she did not tell him a Word of what had happen'd till Night. That on *Monday* Night *Bird* and *Clark* came to their House to vagg (scold) her Grandfather for what he had talk'd of, concerning them; and there being a Talk about sending for a Constable, *Bird* said he would stay till an Officer came, and after he had sat a good while, he complain'd that he could not stay all Night for the Constable; but her Grandfather perswaded him to be easy, and he would get one, which at last he did, and the Constable took Charge of the Prisoners. She added, that the Prisoner was a Shoemaker by Trade, but pretended to be skilful in Surgery, and came to *Clark's* House to cure her of the foul Disease. And at the Time she was ill used, there were several Lodgers in the House, but none on the same Floor.

John Bradford confirm'd some Part of the Girl's Evidence.

Sir John Stonehouse (Surgeon) was called.

The Surgeon. I am the same Gentleman belonging to *Sir George Stonehouse*, Bart. by his Title, I am so, being all the Sons he had. I know nothing of the Prisoners directly nor indirectly; but *Mr. Bradford* belonging to the Child, he sent for me three or four Days after the Thing was done, to search the Girl, to inspect or look into—— She was a little tumified,—tumify'd comes from the Word *tumeo*, and *tumor*, *tumoris*, to puff up and swell. There was some small Damage, but not a great deal. I gave her some Things accordingly, for Fear, (as I understood the Man was a vile Fellow) there should be some Foulness.

Alice Mace gave an Account that she was in *Clark's* Room all the while, and that *Nanny* was not there at all. That the Girl brought the Beer into the Room herself, and set it down on the Table; that she then sat herself down on the Bed, and *Bird* sat down by her. The Witness mention'd some Acts of Immodesty in the Prisoner, but nothing that amounted to a Proof of the Charge, and said, the Girl talked very impudently, and told the Prisoner he should not lie with her. She added, that there was not the least Noise, and that the Girl went away very well, and free from Passion.

—*Chase* depos'd, That he lodged in the same House, and but a few Steps above the Prisoner's Room;

Room; that he was at home at that Time, and heard no Noise, though if any had been made, he must have heard it.

Elizabeth Walford deposed, That the Girl's Grandmother told her there were no Signs of ill Usage upon the Girl's Linnen.

A Witness gave *Bird* the Character of an in-offensive Man.

Another gave the Girl the Character of being very pert, and said, he had taken Notice of her being very fond of the Doctor's (the Prisoner's) Company; but he never saw them together. Both Acquitted.

380. *Mary Giles* was indicted for stealing three Linnen Rollers, value 6 d. the Goods of our Lord the King. A Pair of Linnen Spatterdashies, value 1 s. the Goods of *Jonas Rogers*; a Pair of Fustian Breeches, value 1 s. and several other Linnen Goods, the Property of divers Persons, May 28. Guilty, Felony.

381. *Richard Richardson* was indicted for assaulting *Samuel Horsford*, in a certain Alley, near the King's Highway, called *Frying Pan Alley*, putting him in Fear, and taking from him a Hat, value 1 s. a Worsted Cap, value 8 d. a Pair of Shoes, value 1 s. a Pair of White Metal Buckles, value 6 d. a Penknife, value 3 d. and 9 d. in Money, May 18. Acquitted.

382. *Robert Jones* was indicted for stealing twelve Geese, value 6 s. the Goods of Persons unknown, June 2.

William Harvey. Between Twelve and One o'Clock last Saturday Morning, I li't of the Prisoner three Miles beyond *Barnet*, and he desired me to help him bring a Dozen of Geese to London, telling me he would give me a Shilling. So we took the Geese upon our Shoulders, and when we came to London, a Constable stopped us on Suspicion of stealing them, — so we were taken up. The Constable was called, but did not appear.

Prisoner. I have very good Friends, — if they were but here. These Geese were the Witness's, and he hired me for a Drink or two of Beer, to help him to carry them. He told me he was carrying them to a Sister of his at London, but God knows whether he has e'er a Sister there or no, for he would have sold them upon the Road if he could. Acquitted.

383. *Jann Sturgeon* was indicted for stealing a Brass Sauce-Pan, value 2 s. a Pair of Cloth Breeches, value 1 s. a Pair of Sheers, value 1 s.

a Hatchet, value 6 d. and a Hammer, value 6 d. the Goods of *Robert Hughes*, May 3.

The Prisoner appearing Lunatick at the Bar, and no Evidence being given against her, she was Acquitted; and the Court ordered her to be sent directly to *Bedlam*.

384. *Anthony Cross* was indicted for wilful and corrupt Perjury, in an Affidavit sworn by him, before Mr. Justice *Probyn*, at his Chambers in *Chancery Lane*.

The Prosecutor not appearing, the Prisoner was Acquitted.

385. *Richard Dyer* was indicted for wilful and corrupt Perjury, in an Affidavit sworn by him, before the Commissioners of Excise.

The Prosecutor not appearing, the Prisoner was Acquitted.

George Bird, whose Case was mentioned in the Proceedings at the last Sessions, having since obtained his Majesty's gracious Pardon, on Condition of being again transported for Life, the Court order'd him to be transported accordingly.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 5.

James Caldclough, *Joseph Morris*,
William Cary, *James Wint*.
Jarvis Hare,

BURNT in the HAND, 1.
Nathaniel Mason.

WHIPT, 2.

Jane Ladine, *Mary Roach*.

TRANSPORTATION, 30.

Will. Alexander, *Jam. Darlington*, *Edw. Jenkinson*,
Marg. Bell, *John Fife*, *John Jones*,
Michael Barry, *Matthias Francis*, *Will. McCullough*,
Bertram Bird, *Mary Giles*, *Sarah Meltshaw*,
Hann. Bluyman, *Anthony Glas*, *Joseph Patridge*,
* *M. Bullinbroke*, *Will. Greenaway*, *William Pattison*,
John Clency, *Cha. Higginson*, *Tho. Rassa*,
Joseph Coleman, *Joseph Hume*, *C. Stewart-Seymour*,
Charles Cross, *Edward Hunt*, * *Jer. Whitehurst*,
Owen Darby, *John James*, *John Wright*.

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Wednesday the 18th of July.

* These being convicted of buying Goods, knowing them to be stolen, are to be transported for 14 Years.

THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,
FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,
ON

WEDNESDAY the 18th, THURSDAY the 19th, and FRIDAY
the 20th, of *July*.

In the 13th Year of His MAJESTY's Reign.

BEING THE

Sixth SESSIONS in the MAYORALTY

OF THE

Right Honourable *Micajah Perry*, Esquire,

LORD-MAYOR of the CITY of LONDON.

NUMBER VI.

L O N D O N:

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MDCCXXXIX.

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P R O C E E D I N G S

A T T H E

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICAJAH PERRY, Esq; Lord-Mayor of the City of London; the Right Honourable the Lord Chief Baron COMYNS, Mr. Justice CHAPPEL, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City, and County of Middlesex.

London Jury.

Edward Wood,
Thomas Stackhouse,
William Gold,
Benjamin West,
Francis Spilsbury,
Richard Reynolds,
Edward Walker,
John Ackland,
Thomas Hopton,
Joseph Bridges,
William Austin,
William Gray.

Middlesex Jury.

Benjamin Goodwin,
Thomas Boone,
Edward Garton,
Enoch Grigg,
Samuel Lane,
Abraham Chitty,
Arthur Granger,
William Fletcher,
John Turner,
Edward Curtis,
Phillip Shearer,
Joseph Bush.

386. William Dickenson was indicted for * privately stealing a Linen Handkerchief, value 10d. from the Person of Beadle Binglew, July 5. Guilty.

287. Thomas Drinkwater was indicted for privately stealing a Silk Handkerchief, value 2s. from the Person of Edmund Chapman, June 11. Guilty 10d.

388. Elizabeth Holmes, of St. Alban, Wood-street, was indicted for stealing a Mahogany Joint-Stool, value 5s. and a Skirt of a Child's Coat, made of worked Holland, value 3s. the Goods of Robert Bayley, May 30. Acquitted.

389. Arthur Emery, of the Liberty of the Tower, was indicted for stealing a Firkin of Soap, value 20s. the Goods of John Start, in a certain Ship, on the River of Thames, June 19. Guilty.

390, 391. Thomas Eastmead, and Margaret his Wife, of St. Ann's, Westminster, were indicted for stealing a Pair of Stays, value 5s. a Green Silk Quilted Petticoat, value 5s. and a Hoop-Petticoat, value 2s. the Goods of Mary Connor, Spinster, July 2.

Connor. I came to Eastmead's House the 1st or 2d of July, about Eleven at Night, with a Gentleman, (one Mr. Fisher) and we staid there all Night, and breakfasted and dined there, the next Day. After Dinner we had a Coach, and Mr. Fisher and Mrs. Eastmead and I, went to my Mother's, at Hyde Park, and from thence went round to Brumpton, and Jenny's Whim. I was then dressed in White; and when we came into Piccadilly, I said I would go Home, and change my Gown, to keep it clean. So I got out of the Coach, and Mr. Fisher called after me, and bid me come to Eastmead's Bagnio again: he lives in Leicester-Fields. I promised him I would. and when I had changed my Cloaths at my Washerwoman's, I went again to the Bagnio, and asked for Mr. Fisher. Mr. Eastmead told me, he was not there — and,

* No Person found Guilty of taking Money or Goods from the Person of any other privily, shall be admitted to the Benefit of the Clergy. 8 Eliz. c. 4.

But if it be under the Value of 12 d. then it remains petit Larceny as before; for the Statute did not alter the Offence, though it took away a Privilege. Hale's Pleas of the Crown, p. 75.

See after the Trial of Sarah Kingman, N^o. 405.

— and if he was, I should not see him : I said, I was sure he was there, and called out, — Mr. Fisher ! Upon this Mr. Eastmead knocked me down in the Entry, and both he, and his Wife, dragged me into their Back-Parlour, or Bed-chamber, and they beat me in a miserable Manner : When I cry'd out, Mrs. Eastmead stopped my Mouth with her Hand, and then they stripp'd my Cloaths off, and would have taken off my Shift, if People had not come into the House, — I had much ado to keep it on. They swore at me, and told me 'twas no Sin to kill me, if they had a Knife. They took from me a Pair of Stays, a Green Silk Quilted Coat, and a Hoop-Petticoat, and I have never heard of my Cloaths since. After he had used me ill, I cry'd out, Murder ! Upon which he took me up in his Arms, and flung me out of the House, in such a Manner, that my Face fell upon the Flag-Stones, and I bled a great deal. When I got out of the Coach in Piccadilly, in order to change my Gown, I left Mr. Fisher and Mrs. Eastmead in the Coach, and he (Fisher) bid me come to him again, and not stay long. — 'Tis not the first unhappy Girl they have used so. Mrs. Eastmead owned before Mr. Devel, That she had my Cloaths ; and People came to me to offer me Money not to appear against them.

Prisoner's Q. Did not you say you would go up Stairs and see for Mr. Fisher ?

Connor. On my Oath I did not : I only called — Mr. Fisher ! — at the Bottom of the Stairs, because if he had been in the Parlour, I wanted to have spoken with him : He had told me he wanted to speak with me. I have known Eastmead a great while, but I have not frequented the House much.

Prisoner's Q. Whose Stays were they ?

Connor. I bought them of Mrs. Eastmead, and paid her for them. I paid her a Guinea and four Shillings for them : One Mrs. Richards saw me pay her for them, about eight Months ago. I paid her a Guinea all at once, and the four Shillings afterwards.

Mary Hopson. I saw her come home that Evening, in a White Gown ; she called for her Brown Gown, and put it on. 'Twas about a Fortnight ago Yesterday. She came Home again in about half an Hour, very bloody ; her Gown was torn down ; her Stays, and her Hoop and Quilted Coat were gone. Her Apron, Handkerchief, and Cap, were very bloody ; and she told me, Mr. Eastmead and his Wife had almost murdered her.

Margaret Morgan. She came home in the

Condition Mrs. Hopson has mentioned, and told me she had been almost murdered by Eastmead ; That she asked for Mr. Fisher, and Mr. Eastmead told her, he was not there, and he was glad he had got her alone. She returned (in half an Hour after she had chang'd her Gown) without her Stays ; her Gown was rent or cut down with a Knife, her Quilted Coat, and her Hoop was gone ; her Dressed-Cap was all over Gore-blood, and her Apron, — you might have wrung the Blood out of it. She told us Mrs. Eastmead got her into the Parlour, and stopped her Mouth with her Hand, while her Husband robbed her.

Mrs. Eastmead. I desire she may be asked, in what Manner she was robbed.

Connor. I have told you already, — and have not told one Word of a Lie. They beat me in a violent Manner : I bled at the Nose and Mouth ; my Face and Hands were as if they had been dipped in Blood.

Mr. Eastmead. She came to my House with Mr. Fisher the 2d of July ; they lay there all Night, and next Day, they breakfasted and dined together : They had a Leg of Lamb and Green Peas for Dinner, and drank plentifully of Wine and Shrub. In the Afternoon my Wife and they went out in a Coach to Brumpton. He returned to my House, without the Girl, and told me, if Moll Connor should come to enquire for him, I must not own he was there, for she had done him a great Injury. In a little Time she came, and called — Jack Fisher, — you Scrub ! and she pulled off her Cloaths herself, and would go up Stairs, whether we wou'd or no.

Frances Prince. I remember Mary Connor's coming to Eastmead's about a Week, — about three Weeks ago. She went out with Mr. Fisher, about Five o'Clock in the Afternoon. Fisher came back about Eleven o'Clock, and ordered that the Gentlewoman that had been with him the Night before, shou'd not be admitted to him. In a Quarter of an Hour after this, Connor came in, and insisted on seeing the Gentleman, whereof, she was deny'd ; upon which she went into the Parlour and pulled off her Cloaths, — her Stays, her Quilted Coat, and her Hoop, and said she would go up Stairs to him. I was at this Time in the Entry, and stood at the Parlour Door, and saw her undress herself. Fisher lay up one Pair of Stairs, and she was going up to him, but my Mistress, (Eastmead) pulled her down again, and she struck my Mistress in the Face, and made a great Disturbance at the Door, and said she would be revenged of them, and would send them to

B.c

New-

Newgate. I saw her pull off her Cloaths in the Parlour, to go to Bed to the Gentleman up Stairs: My Master and Mistress were in the Room at the same Time. I stood at the Parlour Door. There was another young Woman (*Elizabeth Davis*) who waited upon Mr. *Fisher*; she was above Stairs with him, and gave Orders that *Connor* should not be admitted to him.

Prisoners. Was there any Blows given to *Connor*?

Prince. I saw none, nor any Blood, nor any thing of her Gown being torn, but I saw her strike my Mistress in the Face.

Fury. Is there a Bed in this Parlour?

Prince. Yes; a standing Bed: A high Bed, with a Tester.

Elizabeth Davis. I know *Mary Connor*, and remember her coming to *Eastmead's*: She lay one Night there with Mr. *Fisher*, and went out with him next Morning in a Coach; as near as I can remember they went out about Seven o'Clock in the Morning. I put them into the Coach together at Seven o'Clock in the Morning.†

Q. Did any body else go with them in the Coach?

Davis. I can't remember whether any Body went with them, or not. Mr. *Fisher* returned by himself in a Chair, about Eleven at Night; I saw no more of them, from Seven in the Morning, till Eleven at Night. They neither breakfasted, nor dined at our House, — neither Mr. *Fisher* nor *Connor*. When he came in at Eleven, he ordered that she (*Connor*) should not go up Stairs to him, but when she returned, she said, she would go up; so I informed her, the Gentleman desired not to see her, and called my Mistress (*Eastmead*) to her, who told her she must not go up to Mr. *Fisher*. She went into the Back-Parlour, and undressed herself; my Master was at the same time below in the Kitchen; my Mistress was in the Parlour with *Connor*, and I was above Stairs — but I saw her sling her Cloaths off, — for I was coming down Stairs, and telling her, she must not go up. — There was no one but my Mistress in the Room, for my Master was below Stairs, and *Frances Prince* was gone to Bed when this happened. My Mistress desired her to take her

Cloaths, but she said she would not, — for she would send her and my Master to *Newgate*, and would swear a * Robbery against them; so she went away and left her Cloaths in the Parlour.

Humphry Ingram. I don't know *Connor*, but I had some Acquaintance with one of *Eastmead's* Maids, and was below in the Kitchen, on the 2d of *July*, when this Disturbance happened above Stairs, and went half Way up, and heard Mrs. *Eastmead* say to *Connor*, you need not undress your self, for here y^e shall not lie To night. *Connor* said, she would go up Stairs, and Words arose, and some Blows passed. After this, *Connor* said, if you won't let me lie here, turn me out. Aye, says *Eastmead*, go out, — But take your Cloaths with you; No, says *Connor*, I will not, for I will send you both to *Newgate*. This was between Eleven and Twelve at Night.

Fury. How came you to be there that Night?

Ingram. I went to see their Maid *Fanny*. She and I were below in the Kitchen, and we were coming up Stairs; for I was going away, if this Disturbance had not happen'd. As the Dispute rose higher, I proceeded higher, and stood at the Top of the Stairs, but went no farther. *Frances (Prince)* went into the Parlour; I saw her go in at the Door: There are two Parlours, — I can't tell which of them she went into, I think it was into the back Parlour, to assist her Mistress; both the Doors were open, but I could not see far enough to have a View of the Place where the Squabble was. I saw no Blood, — not a Drop; nor did I see Mr. *Eastmead* all that Night: I heard a Man's Tongue, but I can't take upon me to say it was his.

Robert Hinder. I have known the *Eastmeads* five or six Years, and know nothing but that they are honest People: They keep a handsome House — a Bagnio; I served them with Goods, and they paid me. I don't know that they keep a Bawdy-house.

Fury. What Goods did you serve them with?

Hinder. Upholsterers Goods.

John Debell. I am a Bricklayer, and have trusted them Scores of Pounds; my Wife keeps a Cheesemonger's Shop: I have dealt with them in both Branches, and they have paid me honestly.

John

† At the Desire of the Jury the Witnesses for the Prisoners were examined apart.

* Though her Evidence amounted to a Robbery, the Indictment was laid only for Stealing, which being a single Felony, a Married Woman could not be found Guilty of such a Fact committed in Company of her Husband; the Law of England presuming she is so much in his Power as to act by his Compulsion.

John Edwards. The Prisoners are very honest People, for ought I know. On Monday the 2d of July, I was making some Alterations in their Parlour, and I saw the Prosecutrix there in a Plaid Night-gown, a single Petticoat, and her Smock on; she was shelling Peas with a Gentleman in the Kitchen: I believe she is a common Woman, for I heard her once tell *Eastmead*, that she was just come out of the *Marshalsea*, but she need not be afraid, for she would pay her very handsomely. They keep *Fanny* to sweat and bathe.

Antonio Lucera. I know the Prisoners; her I have known 10 Years; she lived with the French and Spanish Ambassadors, and had a good Character: I deal with them in Wine.

Isaac Itorno. I have known her seven Years, him five Years; but I come to speak about *Connor*. She is a Woman of the Town: She came to me, and told me, —by G-d, she would be revenged on the Prisoners, for not letting her go up to the Gentleman.

Jury. Pray what Business do you follow?

Itorno. I am a Marshal's Court Officer; and if a Prisoner in my Custody calls for a Pot of Beer, I let him have it.

Richard Ford. *Connor* hath the Character of a vile notorious Woman; she makes a Property of all the People she gets. The Day after the Quarrel, she call'd on me, and told me she was going to Mr. *Deveil* for a Warrant for the Prisoners, on Account of a Robbery. A Robbery! says I, Lord, *Molly*! how can you be so vile, to swear a Robbery against the People that find you Victuals and Drink! I will do it, says she, if I send my Soul to the Devil.

Ann Pollard. *Connor* is a Woman of the Town: I have known her six Years. On the Day this thing was done I was at *Eastmead's*, and saw *Connor* come into the House, about Twelve at Noon, in Mens Cloaths, and at Four in the Afternoon she went out again in the same Dress. I remember it, it was the 2d of July.

Jury. This contradicts all the other Witnesses.

Mary Peacock. I know *Connor*; but I never knew her to be perjurd. All that I know of her is, that about a Twelvemonth ago, she came to my House, and lay all Night there with a Man who is my Lodger.

Henry Gotobed. I know *Connor*, but I have never seen her since the Fact, nor do I know any thing of the Matter.

Q. What did you come here for?

Gotobed. I don't know. I know they keep a *Bagnio*.

Richard Temple. I was at the arresting of *Connor*, and heard her say she would be reveng'd of the *Eastmeads*. I know nothing of her Character.

Frances Prince. These are the Things which the Lady (*Connor*) pull'd off in our House; there are no Cuts in them, nor any Blood upon them.

The Jury Acquitted the Prisoners; but desired the Court would be pleased to take into their Consideration the Necessity there was of suppressing this House.

392. *Ann Thompson*, of *St. Mary-le-Bone*, was indicted for stealing a Burdet Gown, val. 2 s. 6 d. a Camblet ditto, val. 2 s. 6 d. a Linnen ditto, val. 2 s. 6 d. a Scarlet Cloak, val. 10 s. four Linnen Shifts, val. 10 s. a Pair of Stays, val. 7 s. 6 d. a Muslin Apron, val. 2 s. 6 d. and several other Things, the Goods of *Robert Jones*, June 26. Guilty.

393, 394. *John Dewsbury* and *Robert Cording* were indicted, for that *Dewsbury*, on the 21st of June, about Two in the Night, the Dwelling-house of *Joseph Ruberry* did break and enter, and two Hams of Pork, val. 6 s. 1 s. lbs. of pickled Pork, val. 7 s. 6 d. eight lbs. of Beef, val. 17 d. an Iron Poker, val. 18 d. and an Iron Back, val. 18 d. did steal, &c. And *Cording*, on the 22d of June, the said two Hams, 1 lb. of pickled Pork, and four lbs. of Beef, did receive, knowing the same to have been stolen.

Dewsbury Guilty, Felony only. *Cording* Acquitted.

395. *William Celes* was indicted for stealing two Cloth Coats, val. 5 s. a Waistcoat, val. 2 s. a Pair of Stockings, val. 6 d. and 12 d. in Money, the Property of *John Bignal*: And a Cloth Coat, val. 5 s. a Dimmity Waistcoat; val. 3 s. a Pair of Shag Breeches, val. 18 d. a Shirt, val. 12 d. and other Things, the Goods of *John Tombes*, June 28. Guilty.

396. *Martha Smith*, of *Pancras*, was indicted for stealing two checqu'd Aprons, val. 12 d. two Linnen Shifts, val. 12 d. two flat Irons, val. 12 d. five Pieces of Linnen, val. 2 s. the Goods of the Parish of *Pancras*, in the Custody of *Daniel Harrison* and *William Duffield*, Church-wardens of the said Parish, June 16. Guilty.

397. *Francis Trumble* was indicted for assaulting *Thomas Brown* on the King's Highway, in the Parish of *St. John, Hackney*, putting him in Fear, &c. and taking from him a Silver Watch, val. 30 s. an Iron Chain, val. 2 d. and a Brass Scal, val. 1 d. June 18.

Mr. Brown. On the 18th of *June* I was walking in the Field towards *Hackney Downs*; *Brook-House* Clock had just struck Six, when the Prisoner came past me, and looking me full in the Face, he went on his Way. But when I was got into the next Field, I saw him coming after me, in a Path between some Corn; seeing him coming towards me, I made towards the Hedge-Side; when he came up to me, he made a full Stop, and asked me the Way to *Newington*? I directed him thither, and turned my Back on him; but I had not gone many Steps, before I heard somebody coming behind me; I turned about, and saw a Man with a Mask upon his Face, and a Pistol in his Hand; he called to me, and said, — Sir, I must have your Money. Money, says I! — I don't know whether I have any Silver or no. However, he came up to me with his Pistol in his Hand, and I put my Hand in my Pocket for my Money; I had a pretty many Half-Pence, about 8 or 9 Penn'orth, and while I was feeling for them, he saw my Watch Chain: Sir, says he, I must have your Watch. I desired him not to take my Watch, but he said he must have it immediately, and he took hold of the Chain, and drew it out himself; then he went away, and did not stay to search me any farther. When he was got some Distance from me, I saw him run; then I call'd out — Stop Thief! Stop Highwayman! Upon the Alarm he was follow'd and taken. I saw him when the People started after him, but not when he ran out of the Ditch, for that was near Three quarters of an Hour afterwards. I remember the Prisoner's Face perfectly well; and though when he robb'd me he had a Masque on, yet by his Voice and Cloaths, I have Reason to believe he is the Man; and no one else could come into the Field in that Space of Time.

Edward Dixon. The Prosecutor lodged at my House, and at the Time he was robb'd I was drinking with a Friend at the Door of a Publick House in the Neighbourhood. While I was there, a Man came up and told me the Gentleman had been robb'd; so two or three of us went after the Thief; — One went one Way, and others another. By the Account I had of the Robbery, I thought the Man could not be far off, and that he could not easily escape. I and two others searched for him in the Field next the *Downs*, and there we found a Track in the Field, which we follow'd till we came to a Ditch, and under the Bushes I thought I saw something, and it proved to be the Prisoner. One

of the Lads that was with me said, he was sure it was either a Man, or a Sack of Peas that was hid there; I said 'twas a Man; upon which the Prisoner raised himself upright in the Ditch, from under the Bushes, and put on his Hat and Wig, which before were off, and he had no sooner done that, but he held up a Pistol through the Bushes at me. I drew back, and cautioned those that were with me to do so too; at the same Time bidding the Prisoner come out; he accordingly came out, presenting a Pistol in each Hand. We had two or three Dogs with us, and we set them at him, but they would not seize him; so he ran away, with a Pistol in each Hand, and we pursued him over the *Downs*, and towards a Wooden Bridge at the Bottom of the *Downs*, which goes over a Brook. He ran over the Bridge, and we called to a Man, who was then coming over it, to stop him, but he did not. When he had got a few yards over the Bridge, I saw him shift his Pistols into one Hand, and dropp'd the Watch with the other. I bid one of the Lads take it up, and carry it to Mr. *Brown*, while we pursued the Prisoner, who ran up a dirty Lane, where some Men were digging Ballast, and we alarmed them likewise. We pursued him out of this Lane, cross *Kingland Road*, and through an Orchard, into a large Field of Beans and Peas; and here the People coming thick upon him, he got into a Corner of the Field, and stood with a Pistol in each Hand, and every one being afraid to go near him for fear of his Pistols, a Man called out for a Gun; I said, I would go and get one, upon which the Prisoner called to me, and said he would surrender himself to me; We did not understand him at first; and a Man asked him, whether he would surrender to him? No, says the Prisoner — I will surrender to that Man in his own Hair, (meaning me.) Then I went nearer him, and desired him to drop his Pistols; he told me I might come safely, for he would do me no Hurt; I insisted on his throwing down his Pistols, and while we were arguing, some People got hold of his Arms, and secur'd him. When he was taken we carry'd him to a publick House, (where he behaved well) and from thence we took him before Justice *Norris*, and there he said but very little; he told the Justice, — he did not chuse to say either one Thing or another. This Pair of Pistols was found upon him, and two or three Balls, and a Pair of Bullet-moulds; one of the Pistols was loaded, but I think it was not prim'd; I don't know whether the other had any Thing more than

a Ball and a Bit of Paper in it. I was never above twenty or thirty Yards from him, from the Time of his being started out of the Ditch, to his being taken.

Samuel Bamblin confirm'd Mr. *Dixon's* Evidence in every particular; adding that he deliver'd the same Watch which the Prisoner dropp'd into the *Prosecutor's* Hands, and it being produced in Court, he swore it was the Watch which was then taken from him, and which was afterwards deliver'd to him by *Bamblin*.

Henry Harrill, the Constable, produced the Bullet-moulds, the Pistols and the Watch, which were seal'd up in a Bundle before Mr. *Norris* and Mr. *Tyssen*: His Evidence, with regard to the Condition the Pistols were found in, and the Prisoner's Behaviour when taken, agreed with the former Witnesses. In Answer to a Question relating to the Temper of Mind the Prisoner was in at the Time of his being apprehended, he said, the Prisoner then appear'd—very solitary, and a Sort of a Wildness appear'd in his Eyes; and when any Question was ask'd him, he turn'd about, and look'd wistfully. This Witness likewise depos'd, that the Prisoner told the Justices, —he chose to say nothing, nor to answer any Questions.

Thomas Harrison was at Work in the Gravel-pits by *Shacklewell*, and when the Prisoner came by, he join'd with the Rest of the Pursuers, and confirm'd the former Accounts of the Prisoner's being taken.

Edward Hawkins depos'd, That he was the Person who came behind the Prisoner and seiz'd him, while he was parleying with *Dixon*, the 2d Witness.

Job Griffin, *William Evans* and *John Chelton* were likewise present when the Prisoner was taken in the Manner already related.

DEFENCE,

Thomas Steed. I have known the Prisoner from a Child: I knew his Parents; they lived next Door to me, in *St. Clement's* Parish, in *Ipswich*. His Mother was many Times beside herself; she made many Attempts to destroy her Life, and at last she hang'd herself: I was upon the Coroner's Inquest, and she was brought in Lunatick, for she had been reputed as such. The Prisoner lived at *Ipswich* till he was twelve Years old, and behav'd well; then he was put out Apprentice at *Colchester*, and during his Apprenticeship, I only saw him when he came to visit his Friends. His Father was several Times out of Order: Once I remember he came to our House, and my Wife

perswading him to eat something with us, he said, he could not, for if he did he should be choak'd, and should die at the next high Water.

Eleanor Young had known the Prisoner seven Years. She depos'd, that the Prisoner (in her Opinion) had been disorder'd in her Senses ever since the Death of his Father, who was Master of a Ship, and was drown'd: That he appear'd as a Man disturb'd, and to have had his Mind full of Trouble, for six or seven Weeks before he committed this Fact: That he often appear'd melancholy, and would immediately be in a Flurry, and look wild: That seven or eight Weeks after he had heard of his Father's being drown'd, he took a House by *Hicks's-Hall*, and before he came to live in it, he shut himself up in it, and she going there to see him, was obliged to knock half an Hour at the Door, before he open'd it to her; that at that Time there were only his Shop Goods in the House, and this she said, was about three Days before the Fact; she never heard any thing amiss of him before, and observed that he work'd industriously at his Business of a Cabinet-maker.

Francis Young depos'd, that the Prisoner had been melancholy for six or seven Weeks before the Commission of this Fact: That when he was spoke to, he never cared to speak again: This Witness took him to be a Man disturbed in his Senses, but could not say he ever saw him so much disorder'd, as not to be capable of distinguishing Good and Evil. He never heard any Ill of him, and took him to be very sober and very industrious.

John Sawyer had known him twelve Years, and saw him two or three Days before this Fact. He said, the Prisoner then appear'd very melancholy, and to be much disorder'd, which he imputed to the Uneasiness created in his Mind by the Death of his Father. He added, that the Prisoner, (before he parted with him) appear'd to have strange Notions of having a great deal of Business upon his Hands,—so much—that he could not stay to talk with the Witness; that he started from one Thing to another, and appear'd disorder'd in his Understanding, but he could not say he knew no Difference between Good and Evil.

Wilford Head had observed him to have been melancholy and dejected, since the Death of his Father, but he took him to be in his Senses, and, as far as he could apprehend, he took him to be capable of discerning Good and Evil.

The three following Prisoners were brought from Newgate, to give an Account of his Behaviour since his Confinement.

Thomas

Thomas Hunt declar'd, that he was confin'd with him on the *Common Side*, and that once he took a Knife out of his Pocket, and was going to cut his own Throat. That another Night he had put the Bell-rope round his Neck, and had hang'd himself, had not the Witness seen him struggling for Life, and hoisted him up till he had disengag'd him from the Rope, otherwise (the Witness said) he had certainly jam'd himself. 'Twas added farther, that the Prisoner, during his Confinement with them, could never give a regular Answer, that they durst not trust him by himself, and that this had been his Condition very near a Month.

John Garment gave the same Account; and said farther, that they were obliged to keep a Rush Candle burning every Night, for Fear he should make away with himself.

William Skinger deposed to the same Effect; and likewise, that the Prisoner disturb'd them o'Nights, sometimes by his walking about with melancholy Thoughts, and sometimes by his raving, and talking of Things without any Sense.

Guilty, Death.

398. *Archibald Murrey* was indicted for stealing five Pieces of Butt-leather, cut out for Shoe-Soles, value 3 s. the Goods of *William Bannister*, June 16. Acquitted.

399. *Elizabeth Kreebe*, of *St. Butolph, Bishopsgate*, was indicted for stealing a Pair of Men's Shoes, value 3 s. two Pair of Women's Leather Shoes, value 3 s. six Pair of Damask Shoes, value 12 s. two Pair of Leather Clogs, value 2 s. and several Goods, the Property of *John Ridout*, Feb. 3. Guilty 10 d.

400. *George Broderick* was indicted (with *Noah Gooby*, not taken) for assaulting *William Reynolds*, on the King's Highway, in the Parish of *St. Leonard, Shoreditch*, putting him in Fear, and taking from him a Silver Watch, value 20 s. a Silver Chain, value 4 s. a Silver Seal, value 12 d. a Glass Seal, set in Base-Metal, value 2 d. a Gold Ring, with a Chrystal Stone set therein, value 8 s. and five Shillings and Sixpence in Money, March 20.

Mr. Reynolds. On the 20th of March, I was coming out of the Country, in a Chaise, with a Friend, and on this Side the Turnpike, by *Kingsland Road*, three Fellows stopped the

Chaise, and commanded me out. Then they put a Pistol to my Breast, and two to my Head, twearing they would shoot my Brains out if I made any Resistance. They took from me, a Silver Watch, and after they had got that, they took my Money out of my Pocket, and bid me go about my Business. 'Twas then nigh Ten o'Clock at Night. When they had got my Watch and Money, one of them bid the others see if I had no Rings; I said I had no — Rings, for I had but — one; and at the same time I endeavoured to shuffle it off, with my Glove, but one of them guessing what I was about, cry'd — d — mn you, are you going to serve me so, and catching hold of my Glove, he tore it off, and took my Ring, — 'twas a Mourning Ring, set with a Chrystal Stone. I advertised the Watch, and *Mr. Gardiner* brought it to me, but the Ring I never had again. I can't swear to the Prisoner, he has been fetched up a great Way out of the Country, but he agrees with the Height of one of the Persons.

Samuel Watts. I and *Abraham Nash*, who was condemned last May * Sessions, with the Prisoner and *Noah Gooby* went out from *Crown Court*, in *Chick-lane*, on Tuesday Night, in order to rob somebody or other. We went to a Place between *Shoreditch* and *Kingsland*, and staid sometime on the Causeway; and not seeing any body come by, we went past *Kingsland Town*, it was about half an Hour after Nine, when we had got beyond the Town, about a Quarter of a Mile, we met this Chaise, with a grey Horse: The Horse trotted, and we followed it to *Kingsland Town*, then it walked, and we ran before the Chaise, till we came to a vacant Place, where we thought proper to stop it. 'Twas just at the Stone Watch-house, when two of us went on one Side the Chaise, and two on the other, and stopped it. The Prisoner was on the Off-side of the Horse; *Nash* and I were on the other. *Nash* ordered the Gentleman to come out of the Chaise, and when he had got out, *Nash* stepp'd in, and bid me rifle his Pockets: So I took his Watch, and *Gooby* searched for Money. The Watch was an old-fashion'd Silver one, without a Minute Hand, but had a new outside Case, and a Silver Chain, and Seal. We took likewise, a Mourning Ring with a little Stone in it, and five Shillings and Sixpence in Money; these Things we took from Mr.

Mr. Reynolds. *Nash* took from the other Gentleman, a large Silver Watch and Silver Chain, and the Name on that Watch was *Barrow*, and a Gold Ring, with the Name *Atwood* in the Inside, and between eight and nine Shillings in Money, and his Hat. Then we went directly to *Chick-Lane*, and Ray'd there all Night. Next Morning we went to a Shop in the *Minories*, and *Gooby* went in and sold the Watch: He had at that Time this Coat upon him, which I have on now. 'Twas *Mr. Reynolds's* Watch we sold there, and got 12s. for it: The Silver Seal we had taken off before. When we had sold the Watch, we went to the Sign of the *Pack Horse*, in *Goswell-street*, where the Prisoner's Wife lived, and from thence to *Chick-Lane*. From *Chick-Lane* we went to *St. Giles's*, to *Nash's* Sweetheart's Lodging; from whence we all went together to *Bedlam*, and spent most of the Money which we had divided between us for the Watch and the Hat; we gave Money to the Prisoners in *Bedlam*, and when we came out, we had a Supper in that Neighbourhood, and then we all went together to the *Pack-horse*. The next Morning we sold the Ring for nine Shillings, and parted the Money equally. The Prisoner was concerned in this, and in several other Robberies: He sent up his Confession from *Ipswich* to *London*, not knowing that I had made an Information.

Prisoner. I was committed to Goal, at *Ipswich*, the 25th of *March*, and I set out from *London* for *Ipswich*, on the 18th, where I made myself an Evidence before Justice *Sparrow*.

Watts. After we had sold these Things, we quarrelled about our Shares of the Money for the rest of them, so we parted, and the Prisoner and one *Dick Cadman* agreed to go down into the Country together; and they accordingly set out the next Day but one after this Robbery was committed. The Prisoner and *Cadman* proposed to go down to *Newmarket*, and they set out between eight and nine in the Morning: They wanted one of our Pistols, but we would not let them have it.

Thomas Gardiner. I bought the Watch on the 21st of *March*, which *Mr. Reynolds* was robbed of; and the next Morning I saw an Advertisement at the Coffee-House, in which the Watch was described; upon which I carry'd it to him, and he owned it. Neither the Prisoner nor the Evidence, was the Person I bought it of. The Man who brought it to me had the same Coat on, or one very much like that which the Accomplish has on now. 'Tis an old String Watch,

and goes but twelve Hours: The Movement not being worth a Farthing. I gave 12s. for it, which was 2s. more than the Worth of the Silver. The Fellow brought it to me about Ten o'Clock in the Morning, and asked me two Guineas and a half for it: He told me he bought it at *Spalding*, in *Lincolnshire*, and had paid so much for it there. After I had paid him the Money, he said, — Sir, if my Brother wont take this Money for it, you'll let me have it again? Aye to be sure, says I: So he went away, and came back again to me, and said, his Brother did not chuse to take that Money: Upon this I gave him the Watch, and took my twelve Shillings again. After this, he brought it to me again, and said, — Sir, you are a very honest Man, I have been with it to a Watch-maker in *Whitechappel*, and he will give but half a Guinea for it: So I brought it you again. There were three other Men at the same time hanging over my Show-Glass; if I had known them, I could have taken them all together.

Nathaniel Harris. I moved the Prisoner by *Habeas Corpus* from *Ipswich* Goal: I asked him if he knew *Samuel Watts*. Yes, very well, says he, and he told me he had committed several Robberies with him, but he was in Hopes of being admitted an Evidence. This was, I think, on the 7th of this Instant. [*July*.] He desired me to go after *Cadman* and *Gooby*, and do my Endeavour to apprehend them; he had made an Information before *Mr. Justice Sparrow* in *Ipswich*, in which he had mentioned them both.

Prisoner. I was not guilty of this Robbery, but was gone out of Town when it was committed. If I had time I could prove where we lay, every Night, till we had got down to *Ipswich*.

Thomas Cable. I am Keeper of *Ipswich* Goal; he was committed there on *Lady-Day* last, about Twelve o'Clock. This is the Copy of his Commitment: Guilty, Death.

401. **Catherine Miller**, of *St. Andrew, Holborn*, was indicted for stealing a Pair of Cotton Stockings, val. 2 s. 6 d. the Goods of *Richard Coombes*, *July* 6.

Mr. Coombes. The Prisoner, and another Woman, came into my Shop the 6th of *July*, (the Sign of the *Lamb* at *Holborn-Bridge*) and the other Woman ask'd for Children's Hose: My Wife shew'd her several Sorts, but she did not like any of them. The Prisoner wanted embroidered Thread Hose, which I shew'd her: I had some Suspicion of them, and keeping my Eye on them, I saw the Prisoner take one Pair out of the Parcel which lay before her. She bid me

Four Shillings for a Pair I had asked Six Shillings for, and then I told her I believed she did not want a Pair, for she had got a Pair already; and I immediately whipp'd over the Counter, and found a Pair upon † her. Then I had her into my Parlour, and there she dropp'd another Pair, which she had stole from the *Black Lamb* over-against *St. Sepulchre's Church*. She had ruck'd my Stockings under her Stays through some Holes in her Cloaths, with her right Hand. These are the Stockings, and I swear they are mine. Here's the Maker's Name on them.

Joseph Monory saw a Pair of Mr. *Coombes's* Hose taken from under her Cloaths; he observ'd one End of them hang down among her Cloaths, before they were taken from her.

The Prisoner called several People, who never had heard of her having wronged any one before. Guilty.

402. *Nicholas Keney* was indicted for stealing a Cloth Coat, value 5 s. the Goods of *John Blackwell*: Four Shirts, value 12 s. a Cloth Coat and Waistcoat, value 10 s. a Pair of Leather Breeches, value 5 s. the Goods of *John Spearing*: A Hat, value 3 s. the Goods of *William Dormer*. And a Hat edged with Silver, value 8 s. the Goods of *James Fortescue*, Esq; *June 20.* Guilty.

403. *Thomas Bridge*, of *St. Andrews, Holbourn*, was indicted for that he not having God before his Eyes, &c. on the 5th of *June*, in and upon *Elizabeth*, his Wife, did make an Assault, and with a certain Knife, made of Iron and Steel, value 1 d. her the said *Elizabeth*, in and upon the left Part of the Breast, near the left Pap, feloniously, &c. did strike and stab, giving her a mortal Wound of the Breadth of one Inch, and the Depth of three Inches, of which Wound she instantly died.

John Wilsted. The Prisoner, on the 5th of *June*, came to me, and told me, That his Wife was murdered, and that he had stabbed her in the Breast with a Knife, and that she was dead. I asked him if his Wife was dead? He said yes, and lay dead on the Floor. He told me, he was eating a Piece of Bread and Cheese, and held his Knife against his Breast, with the Point outwards, and she flew at him in a violent Passion, and stabbed the Knife into her Breast. I asked him

what Knife she was killed with? And if it was with the Clasp-Knife which he carried in his Pocket? He said, no, it was with a Butcher's sharp-pointed Knife with a white Handle, or an Ivory Handle, and he could not find the Knife, nor half a Crown which she had in her Pocket. He seemed to me to be very much in Liquor, and was all over bloody. There was a large Patch of Blood on his Back, and another on his right Leg. I told him, he had either been doing Murder, or had been fighting, and he told me he had not been fighting, — his Wife was murdered. I went with him to the House where he lodg'd, and asked the Man of the House where the Prisoner's Wife was? He told me, she had not been at Home all Night; why says I, her Husband tells me she is murdered, and lies dead upon the Floor. The Prisoner then told the Man, that his Wife lay dead upon the Floor, but the Chamber-door was lock'd, and the Prisoner either would not, — or could not find the Key; so we got a Ladder, and set it up to the Window, and a little Boy went up; and look'd in, and said, — she was dead upon the Floor. After this I went up, and found it true. I observed the Skin was off his Nose, and off some Part of his Eye-brow.

Jury. We desire he may be ask'd, how long he imagin'd the Woman had been dead?

Wilsted. She seem'd to me not to have been long dead.

Prisoner. Did not you desire me to go off, and I said I would not, but would go with you, and stay till a Constable came, because I knew myself innocent?

Wilsted. Yes; I did advise him to go off, and I believe it would have been better for him if he had; but he insisted upon taking a Trial for it.

Fury. Did you ask him for the Key of the Room?

Wilsted. Yes; and he either would not, or could not produce it; but it was produced before the Justice.

Prisoner. If the Key had been found, they could not have got into the Room; for there's an Iron Bar, which runs cross the Back of the Door, and when the Door is shut, and that Bar not taken off, (which falls into a Hook) no one can get in, but through the Window.

John

† As there must be a Taking to make a Larceny, so there must also be a carrying away: but it is sufficient if the Thing taken be removed, though never so little, from the Place where it was.

Any Woman convicted of feloniously taking Money or Goods, above the Value of 12 d. and under 10 s. shall be branded in the Hand upon the Back of the Left Thumb with a Hot Iron, having a T. upon it; the Mark to be made by the Gaoler openly in Court. 21 Jac. I. cap. 6.

John Thomas. On the 4th of June I was sitting at my own Door, and saw the Prisoner and the Deceased pass by me; he was in Liquor, and she was not sober. The Prisoner was led home by another Woman, between Eight and Nine at Night. I saw nothing more of them that Night, but the next Morning, about Nine, I saw him come past my House with Mr. Wilsted, and I said, I believed he had been upon the Rake all Night, for he did not seem sober then. After this I saw a Ladder set up, and a Boy went up the Ladder, and told the People the Woman was dead upon the Floor, and lay in her Blood; then a Woman went up, and got in at the Window, and declared Mrs. Bridge was murder'd. When the Door was open'd, I went up, and saw the Woman lying on the Middle of the Floor,—dead,—and cold,—in her Blood. I have liv'd next Door to them these six Years.

Jury. What Character had the Deceased?

Thomas. I never heard any Ill of either of them.

Lucretia Eades. On the 4th of June, between Seven and Eight in the Evening, I saw the Prisoner and his Wife come into the House where I live. He was so much in Liquor, that he had like to have fallen down in attempting to sit: A Neighbour that was then in the House told him, if he would go home, she would go with him, which he agreed to, and his Wife, and he, and the Woman went home together. Sometime after this, the Deceased came down Stairs again, and went to the *White Horse* in *Baldwin's Gardens* for two Pots of Beer, which were carry'd up to their Lodging. I saw no more of them till next Morning, and then, after the Boy that went up the Ladder had told us the Woman was dead, I went up, and found the Deceased on the Floor; the left Side of her Forehead was blue, there was a little Mark on her right Temple, and a Stab above her right Breast, and her Fingers were all bloody. There were several Knives lying upon the Table, all which were carry'd before Mr. Poulson.

Jury. We ask, whether the Wound went upwards,—or downwards?

Eades. The Wound was above her left Breast, and went downwards.

Prisoner. She says she saw us come by between Seven and Eight;—the former Witness says,—between Eight and Nine; and as for Beer, we had none that Night.

Richard Slackman. Between Eight and Nine at Night, July the 4th, the Prisoner came to me with the Deceased: He was in Liquor, and in

attempting to sit, he fell down. The Deceased desired my Wife to get the Prisoner home; accordingly she led him home, and I follow'd them in four or five Minutes. The Prisoner asked me to stay and sup with him; I refused, and he said, —then I should drink with him, and he would have sent for two full Pots of Beer, but I oppos'd it; then the Prisoner storm'd at the Deceased, stamping with his Feet in an angry Manner, and bid her fetch him Half a Pint; the Deceased ran in great Haste, and fetched half a Pint of Gin, and we drank a Dram a-piece out of a broken Tea Cup: There was a Quarter of a Pint left in the Bottle when we went away. 'Twas about Half an Hour after Nine when I left them, and they then seem'd to be in Friendship together.

Sarah Maunden. On the 5th of June the Prisoner came to our Shop about Seven o'Clock in the Morning, to buy a Shirt: My Mother keepeth a Cloaths Shop: He pitched upon one, and agreed to give me 16 d. for it: Then he desired he might have the Liberty to put it on in the Entry. When he had put it on, he desired me to give him a Bit of Tape to tie the Sleeves: I ty'd them for him, and then he desired me to cut the Ends of the Tape even, and he told me, — *he should be hang'd in that Shirt.* I ask'd him why? Not for wronging any body, said he, — *for My Case is worse than a Thiefs.* I observed the Shirt he pulled off was bloody at the Hands.

Prisoner. I remember I went to her Shop, and bought a Shirt, because that which I had on was torn at the Wrists; but I don't remember my speaking such Words.

Mary Shields. I am a Lodger in the House where this Thing happen'd: I saw the Prisoner and the Deceased come Home together between Eight and Nine in the Evening: Mrs. Slackman led him Home, for he was very much in Liquor. They had not been long at Home, before I saw the Deceased go out for Half a Pint of Gin, and a Half-penny Candle, and I saw no more of them till Ten o'Clock at Night, and then I saw him, with a Stick in his Hand, carry out his Child, which was dropp'd that Night near my Daughter's House.

Jury. How old was the Child?

Shields. About Six Years old.

Jury. What do you mean by dropping a Child of Six Years old?

Shields. The Child did tell the People (who found it) where it lived. That Night I saw no more

more of him; but about Twelve at Night I heard the Bar of his Chamber-Door fall, and the Door shut, and I heard somebody go out of the Room: The Reason I have to believe it was the Prisoner who went out, is this; I heard his Voice when he got in at the Window by a Ladder at Eleven o'Clock, which was an Hour before I heard somebody go out of his Room, and at Twelve I heard the Bar behind the Door fall into the Latch, and somebody went out. The next Morning I met him coming up Stairs; he was then not sober, and as I pass'd him upon the Stairs, I saw the Gash of his Leg bloody, and the back of his Coat. The Child was dropp'd in St. Clement's Parish (in the Strand) and was brought before the Justice when the Prisoner was examined by him. This is the Shirt that was taken from him.

Sarah Mauden. I believe this is the Shirt he pull'd off in our House.

A former Witness. He own'd it was the same, — before Mr. Poulson.

The Shirt was produced, but it was so much torn, and was so very foul, that it could not be thoroughly inspected.

Hannah Coles. The Prisoner and the Deceased came home that Night, (I think) pretty much in Liquor. I lodge in the same House, and not having been well, I had taken a Sweat, and went pretty soon to Bed. My Room is over the Prisoner's, and between Nine and Ten, I heard a Noise in their Room, but not a Noise with Talking, — no Noise of Murder, nor any Groaning, but a Thumping about. There were two or three great Bumpings, which made my Bed shake under me, and I thought the Things upon the Shelves in my Room would have been shook down. I supposed they were fighting, for they were given to quarrel, but I never had any Concerns with them, and I thought 'twas no Business of mine. Sometimes they would quarrel, and sometimes they'd be good Friends. When the Man was sober, he'd be pretty well, — when he was drunk, he'd abuse every body, and she was a very passionate Woman. I did not see the Prisoner after this, (Noise,) till next Morning, and then he had confess'd, and had brought People home with him, The Woman was kill'd, — I saw; but I did not kill her, and I have no more to say.

George Reader. The Morning after the Murder, I was standing at my Door about Eight o'Clock, and saw the Prisoner and Mr. Wilsted come by. I took him to be a Constable, and imagined there had been some Quarrel among the

Lodgers. I saw Wilsted go in, and the Prisoner stood at the Door: I having some slender Knowledge of him, he beckon'd to me; I went to him and he took me by the Bottom, (of my Coat,) and said, — *She's dead!* Who's dead, said I? My Wife, said he! God forbid, said I! 'Tis true, reply'd he, and she lies speltiring in her Blood, — *You'll come and give me a Pot when I am in Newgate.* I took the Prisoner to be a quiet peaceable Man. I am sorry I have so much to say against him.

Sarah Miller. The Prisoner has lodged in my House about 16 or 17 Months. I have often heard him and the Deceased quarrel — by way of Words; but I never saw them fight. She once, indeed, had a black Eye; but how she came by it, I can't tell. On the 4th of June, I saw the Prisoner go out early in the Morning, and I saw him no more that Day, till he was led home by a Woman; very much in Liquor, and his Wife walk'd before him. A little after Nine (the same Evening) he came down Stairs into my Shop, with his Child, and said, Landlady, — Shall I leave my Candle upon the Counter? I ask'd him where he was going at that time o' Night with the Child? He said, he was going to carry the Child to its Mother, who was at the Child's Aunt's, and he was then going to her. I desired him not to stay, for I should shut up Shop at Eleven, and he told me, he should return immediately.

Fury. How did he appear, when he came down with the Child?

Miller. Very brisk; — but he was in Liquor.

Fury. Did not you know that his Wife was then at Home?

Miller. No; I did not know but she might have gone out again. About Eleven he return'd, and took his Candle; I ask'd him, what he had done with the Child? He told me, he had left it with his Wife, and asked me if I had any Key that would open his Door; — for he had lost the Key of his Room, (he said) with his Wife. I told him I had no Key that would do; so he got a Ladder, and set it up against the Window, and went in; He was then in Liquor, and I was afraid he would have tumbled; for he work'd the Ladder among the Sugar-Loaves at the Top of the Window, and I was forced to hold it, lest it should tilt. When he got to the Top of the Ladder, he threw up the Sash, and tumbled in at the Window, Head over Heels; which made the Neighbours laugh, and say he had got a Fall. When

I went

I went in Doors, my Husband said, — 'twas a little odd that his Wife should be gone, and his Child gone, and that he should get in at the Window; I am afraid he has some Design to rob the Lodging (for it was ready furnished); I told him, we would go to Bed, and I would keep awake. About Twelve; or a little before, I heard his Door go, and somebody come out of his Room, and open the Street Door, and go out; upon which I got up, and fasten'd it, that he should come in no more that Night. I heard no more of him 'till next Morning, when he came with *Wilfred* (the first Witness), and then a Woman got in at the Window.

Prisoner's DEFENCE.

Prisoner. My Lord, I had been out with my Wife the best Part of that Day, on some Affairs of her own, and we went to several Places, where we drank pretty much: Between Eight and Nine in the Evening we came home, as the Witnesses have said. That Man's Wife, (*Slackman's*) came Home with me, and he followed. I ask'd him to stay and sup with me upon some Roast-Beef, which we had had for Dinner on Sunday: He refused, and then I press'd him to drink, but he would not: May be, says I, you don't chuse to drink Beer; fetch me, says I, (to my Wife) Half a Pint of Geneva; she did, and had like to have tumbled down Stairs at the same time. When *Slackman* and his Wife were gone, I told my Wife she had drank a great deal, and she had better eat something. No, — she would not eat, but would have another Dram: Won't it be too much for you? No, she said, She'd drink 't'other Dram, and would then go to Bed. Well, says I, if you wont eat, I and the Child will. The Child would have Bread and Cheese; so I cut a Slice for it, and another for my self. She was then standing at the End of the Table; I was standing at some Distance from it, and we were talking together, without Passion. At last she began to mention a Difference she had had with one of the Witnesses, and I was for mitigating the Matter; upon which she grew uneasy, and I seeing that, said, Well, we'll omit talking of this till To-morrow. I stood, my Lord, in this Posture — 'tis my usual Posture, with my Knife in one Hand, resting on my Breast, and my Bread and Cheese in the other, — 'tis my usual Way of standing — I saw her Countenance change, and bid her go to Bed, but she stepp'd forward, and fell like a Lump of Lead upon me, and her Head came under my Chin. She was a short

Woman, and my Knife took her just above her Stays; had I been farther from her, she would have fallen on her Face. 'Twas about 10 o'Clock when she fell on my Knife and after that, I carry'd out my Child.

Jury. Was the Child produced before the Justice?

Prisoner. Yes, it was before Mr. *Poulson*, but it is not seven Years old. — After my Wife had received the Wound, she fell from me; I withdrew the Knife, and put it into the Sheath, and clapp'd it into the Bosom of my Waistcoat. She fell from me on her Temple, and I clapp'd my Hand to her Mouth, and found she was dead, without either a Sigh or a Groan. As she fell, her Cloaths flew up to her Head, so I laid her strait, and then the Child crying out, — O my Mammy! — my Mammy! I took him up in my Arms, and carry'd him to my Brother's Door, in *Arundel street*, where I knock'd at the Door, and left him, before any body came to the Door, because I did not care any of the People there should see me. When I left the Child at the Door, I told him, I would only go and get a Pint of Beer, and then would come to him again. Then I went home, and got a Ladder, and having got in at the Window, I took what Money there was in the Room, and went out again. Then I went to the Watch-house, and told them what had happen'd, but they would not take me into Custody, but bid me go home to Bed. I rambled about all Night very uneasy, and could not rest: Had I had any Mind to have escap'd, I could have gone down to *Gravesend*, and have got Employment, but knowing myself innocent, I resolved to take a Trial. After this, I bought me a Shirt, and went to Mr. *Wilfred's*, and told him what had happen'd; and I desired him to go home with me, and acquaint the People of it, and that an Officer might be got to apprehend me: He advis'd me to get off, but I would not; I went with him, and waited till I was took into Custody. I never us'd her ill, nor gave her Blows; — 'tis my Nature to be quiet with all who will be quiet with me. I did not drink a Drop of the Geneva that was sent for, and what was left of it, was found by those who went into the Room. Beer is what I like at all Times.

Jury. One would think it more natural for the Prisoner to have dropp'd the Knife, after the Accident, than to have put it first into the Sheath, and then into his Bosom.

Prisoner.

Prisoner. It was as quickly put there as any where.

The Surgeon was call'd, but Mr. Pousson's Clerk inform'd the Court, that he was subpoena'd to Westminster upon a Trial there.

John Reader. I have known the Prisoner about two Months, and during that Time he had a general good Character. As for his Wife, I think I never saw so turbulent, passionate a Woman in my Life: I have heard her say to the Child, damn you, you little Hell cat Dog,—curse your Blood,—and such Expressions I have heard her use, two or three Days before the Accident.

Samuel Freeman. The Prisoner has work'd for me many Years: He is a Razor and Penknife Maker, and alwas behaved well. Since this Accident, I have heard that he had another Wife.

George Lewis had known him 16 or 17 Years, and always behaved civilly. He had heard of his having another Wife.

Guilty, Death.

404. *David Roberts* was indicted, for that he, devising and intending our Lord the King and his Subjects craftily and traiterously to deceive and defraud, on the 31st of January, in the Tenth Year of his Majesty's Reign, four Pieces of Gold, call'd Guineas, with a certain File, and other Instruments, for wicked Lucre and Gain-sake, feloniously and traiterously did file and diminish, contrary to the Statute, &c.

The Council for the King having open'd the Charge, and the Nature of the * Offence, the Witnesses were called.

John Sandall. I belong to the Mint. *John Carter* (who was concern'd with the Prisoner in filing Guineas) having made an Information, and put the Prisoner therein, I got a Warrant to apprehend him. After much Time spent in Enquiry after him, I heard he had liv'd lately at *Uxington*. I enquired at *Uxington*, and found that he lived next Door to the *The Three Hats*; but when I came to the House, the Neighbours told me, he had been gone two or three Days from thence, and had mov'd all his Goods off.

John Carter. I have known the Prisoner above three Years. When I got first acquainted with him, he had a Habitation at *Coventry*; that was in April three Years ago, but he was personally in *London*, for he had kept an Inn at *Coventry*,

and came up to *Town*, because he could not carry on his Business in the Country any longer, and he employ'd me to go down there, and sell off his Goods. When I got to *Coventry*, I found most of his Goods were detain'd by his Creditors, the rest I and his Wife sold. I staid there 17 Days, and at my Return to *London*, I found him in *Cold-Bath Fields*; he came down once to *Coventry*, while I was there, but he did not stay above Half an Hour, for fear of being arrested.

Counc. Give an Account what Discourse you had with him, with Relation to this Business.

Carter. I had no Discourse with him, till I came to *London*: He had then 130 l. due to him, and from the Time of his coming to *Town*, to his receiving this Money, we had frequent Conversation about diminishing the Coin. The first Time I saw him was at the *Duke's Head* in *St. John's Square*; he sent for me thither about selling his Goods; but when he received his Money, he liv'd in the *Broad Sanctuary, Westminster*: He liv'd first in *Cold-Bath Fields*, then upon *Saffron-hill*, then at *Westminster*, and afterwards at *Hoxton*. As soon as he received this 130 l.—he and I were to go Partners in diminishing the Coin; and accordingly he went about taking a House for that Purpose in *December 1736*, and did take one in the *Broad Sanctuary*, after he had received the Money. At that Time he owed me five Guineas, and I went to his House there, and asked for him; he was not at home, but I saw he had provided Charcoal and three or four Crucibles, I saw them in his Lodging, up two Pair of Stairs; one of the Crucibles had been used: They are to melt Gold and Silver in, in a Charcoal Fire; common Coal will do, but Charcoal will do it sooner. I went from his House to the *Stable-yard*, near the *Abbey*, to look for him, and there I found him at an Alehouse, where we talked about our Design of filing Guineas: I let him into the Affair, and desired him to pay me the five Guineas he owed me. Two or three Days afterwards, I went to him again, and he told me, he had found out my Method of doing it, but he could not do it as well as I; he told me likewise, that he had try'd the Liquor, *Aqua Regis*, but he could not make that do; then he took me up Stairs, and shew'd me how he could do them, and he sh'd two or three Guineas and an 18 s. Piece

* This Offence is made High-Treason, by 5 Eliz. cap. 11: Yet without Corruption of Blood, or Loss of Dower; and the Judgment is the same as in petit Treason, to be drawn and hanged.

Piece in my Presence. This was the latter End of January 1736-7.

Counc. What Quantity did you commonly take from a Guinea?

Carter. We commonly took a Shilling a-piece from them.

Counc. Had you a Vice to put them in?

Carter. To hatch them afterwards we had, I met him once afterwards, but I did not see him work.

Counc. Then you don't put it into a Vice to file them?

Carter. No: He held it in his Hand, while he fil'd it, and placed a Sheet of Paper under it, to catch the Dust that fell. There might be about 18 Grains taken off from the three Guineas, which I saw him file, and when he had filed them, he put them into a Vice, and edg'd them. He fil'd them with a Bastard File, and edg'd them with a three square File, both which he procur'd himself. One File is enough to last three Months, and a great deal longer.

Counc. And in what Manner were they done?

Carter. Very badly: But after he had fil'd them, he wrapped up the Dust, and then we went to the Fountain, in King-street, where I told him his Method would not do, and that I could not put off any of them, for his Edging did not at all imitate a regular Mill. Some have been done so well, that no one could discover them, but the Work upon these was not like Milling. The Edging was not close enough, nor at regular Distances. After this, he solicited me to come and improve him: I told him, if he would give me the five Guineas he owed me, I would come in a few Days, and improve him. But I thought he intended to be a Villain to me, so I parted from him, and saw him no more, till I lit of him in Monmouth-street: Then he told me he was going to live in the King's Bench, and I afterwards saw him, within the Rules, in the Mulberry Garden. I have been up Stairs in his House at that Place a great many Times, and have often seen him file Guineas there. The first Time I was there, I saw him file five or six, and he had improved himself very much.

Counc. Did he or you make use of these Guineas after he had filed them?

Carter. Yes: He gave me half a Crown out of the Money he had got by his Filings, and then we went to an Inn, at the End of St. George's Fields, and had a Pint of Wine; and from thence we went to the Three Queens and drank again, and

after that, we drank at the Ship, in St. George's Fields, and at a House by the Falcon Stairs, at which Places we put off the Guineas when we paid our Reckoning.

Counc. What did he do with the Dust?

Carter. I can't tell: I told him I sold mine at one Mr. Carpenter's, a Refiner, in Foster Lane, and that I always put a Bit of Copper, or some other Metal into it, to disguise it, and that the Refiner should not find it Standard.

Counc. When did you see him last before you surrendered?

Carter. About three or four Months before. The last Time I saw him, was at the Duke's Head in St. John's Square. The Advertisement in the Gazette encouraged me to surrender, and so I sent a Letter to Mr. North, and he came to me the next Day, or the Day after, and I surrendered myself, and was in Custody ten or twelve Weeks. The first Time I saw Mr. North, I impeached the Prisoner. The Advertisement was read which was published in the Gazette, of Tuesday October the 24th, 1738.

Prisoner. Ask him who hired him to go down to Coventry.

Carter. He hired me, and gave me a Note of his Hand, before I set out. One Dowth brought me first acquainted with the Prisoner, because he thought me the properest Person to sell off his Goods.

Mr. North. I am the Person mentioned in the Gazette, to whom the Persons advertised were to surrender. In August last, a Person came to me, and said he could help me to Carter, and I gave him Encouragement to do so. At length I received two or three Letters from Carter, expressing his Desire to come and make a Discovery; and upon this I went into an Alley, in Moorfields, and there I found him, and he told me the whole of the Affair, much in the same Manner as he has done now. He mentioned the Houses where the Prisoner had lived, and where he had filed Guineas. I sent Mr. Sandall to see if he could find out the Prisoner, but he was gone off, and I heard nothing of him, till he was taken at Bath.

Anthony Byam. I knew nothing of the Prisoner, before he hired a House of me, in the Stable-Yard, at Westminster; he lived in it about a Fortnight, and did not seem to me to follow any Employment, but to have been a Man under Misfortunes, and Bailiffs, (as I thought) used to be after him. He begged of me to let him leave the House. I keep a publick

a publick House within three or four Doors of that which he took of me, and I have seen *Carter* with him several Times at my House, — two or three Times in the Fortnight. I never observed him to sit up o' Nights, and I have been in his Room above Stairs, — not in his Bed-chamber, — and I never saw any Charcoal there. Indeed, two or three Days after he left the House there was a buzzing about, of his being a *Coiner*, or that he followed some such Matters. The people talked likewise about *Carter*, for he had been with him, (as I understood) at several other Places.

Prisoner. Ask Mr. *Byam* if he ever saw *Carter* in my House?

Byam. No; for *Carter* used to come to my House, and send for the *Prisoner*.

Prisoner. Were the Windows in my House never opened?

Byam. I never saw them open.

Counc. Did *Carter* and the *Prisoner* never come to your House together?

Byam. No; to the best of my Knowledge they never did: *Carter* used to come and send for him.

Evan Bedward. I keep a publick House, — the *Duke's Head* in *St. John's Square*. I know both *Carter* and the *Prisoner*; the *Prisoner* lodg'd at my House, and *Carter* came to him there several Times, about his (the *Prisoner's*) Affairs at *Coventry*. I have seen them together, both in Publick and Private; sometimes they'd be together once or twice in a Fortnight or three Weeks, sometimes oftener. The *Prisoner* lodged in my House several Months: He is a Carpenter by Trade, and I have seen him with a Saw in his Hand.

Mark Rogers. I keep a Publick House in *St. John's Street*, above *Hicks's Hall*. I have Occasion to remember the *Prisoner*; he came to my House in *December*, two Years ago, and brought one *Robert Brinkley* with him; they both went into the Kitchen, and sat down: Then the *Prisoner* ask'd my Wife, Whether she could give him Silver for seven or eight Guineas? Yes, said she, for twenty, if they are good; upon which he pulled out a Parcel of Guineas, and 3 l. 12 s. Pieces: I was backward behind the Skittle-Ground, so she called me to the *Prisoner*, who immediately cry'd — Your humble Servant, Mr. *Rogers*. I don't know you, said I; but I know you, said the *Prisoner*. — Can you give me Silver for some Gold? I told him I would, if the Money was good; so he put down eight Guineas, and

a 3 l. 12 s. Piece upon the Table; I took up four of them, and one of them was so rough it prick'd my Fingers: Hey! hey! said I, what's the Meaning of this! What Tricks have you been at here! I put on my Spectacles, and view'd them; Why this is rascally Work, said I; some slovenly Fellow did this; I could have done it better myself — some of them were filed into the very Letters. Is not the Gold good, said the *Prisoner*? I told him I believed it was. Do you apprehend I did it, said the *Prisoner*? No, said I, not in such a publick Place as this; if you had, I would have apprehended you, — and I wish I had done it then. There was one Guinea dated 1732, which was as fresh as if it had but just come out of the Mint, and that poor Piece was mangled deeper than any of the rest. Friend, said I, to the *Prisoner*, give me leave to go and weigh these four Guineas, for he had took up all the rest, while I was looking at these. He told me, I might weigh them with all his Heart; so I went to Mr. *Gregory*, the Tobacconist, he had Grains and other Weights, but he had no Guinea Weight; therefore he put his Hand into the Drawer, and took out 50 or 60 Guineas, and weighed these Guineas against several of his. Three of the *Prisoner's* Guineas wanted Six or Eight Grains, and the new Guinea would not do at all; Mr. *Gregory's* went down bump against it. Upon this Mr. *Gregory* came with me to the *Prisoner*, and ask'd him if the Guineas were his? He told him they were; then Mr. *Gregory* weigh'd them before his Face — Well, says the *Prisoner*, may be they are too light, — but they are good Gold — I took them of Sir *Francis Child* — It looks very ugly, said I — you have a good many of them — pray where do you live? He told me he lived in *Montague Close*, by *St. Mary Overy's Church*; but he did not know any body there, for he said he had lived there but a little while. After this he told us he lived in the *Minories*, but he had not lived there long. While we were disputing, in came *Henry Burden*, and said he knew the *Prisoner*; but the *Prisoner* would not know him. Why, says *Burden*, you are my next-door Neighbour, and you know how to use Charcoal, — I have seen a good deal go into your House. The *Prisoner* then told us he had a sick Child, and the Charcoal was to air the Room; *Burden*, after this, pulled out a Crucible, and asked him if he knew how to use that? The *Prisoner* said, — No; he did not know the Use of them; and, after a good deal of Talk, he told

it would be a good-natured Action to give him his Money again, and would prevent a great deal of Trouble both to him and me. Well, says the Gentleman, if you'll produce any one Guinea out of the Parcel in your Pocket that is Weight, you shall have them again. No, no, hold there, says the Prisoner, — you have got enough already. We told him again, he should go free, if he could produce one Guinea that was Weight. But he made so many Entreaties, that at last I gave him his Money again, and let him go about his Business. Some time after this he had the Assurance to serve me with the Copy of a Writ for Defamation, and he trump'd up Evidence against me for Perjury, and brought an Action against me for giving him his Money again.

Counc. Was you ever in the Prisoner's Room?

Rogers. I was in a Place which the Landlord told me was his Apartment, in *Pear-tree Street*, by *Brick Lane*, but I saw no Instruments (or Tools) there. There was only a Hole burnt just by the Window.

Prisoner. I serv'd every Soul in the House with Copies of Writs, and Rogers produced a Woman with Child, before the Lord Chief Justice *Lee*, in his Behalf, whom I never saw in my Life.

Rogers. He serv'd every body he saw in my House with Copies, and swore there was but three Persons present when the Guineas were offer'd, whereas there was 10 or a Dozen there at the same time.

Mr. *Edward Gregory*, a Tobacconist, in *St. John's-street*, confirm'd Mr. *Rogers's* Evidence; and declar'd, that the four Guineas which were carry'd back to the Prisoner were the same identical Guineas which Mr. *Rogers* brought to him: And Mr. *Rogers* added, that the Guineas he had from the Prisoner to change were the very same which he carry'd to Mr. *Gregory*.

Prisoner. I produced the four Guineas before the Lord Chief Justice *Lee*, and they were Weight, and were sworn to be the same that I offer'd them.

Counc. Yes, that's true. They were sworn to be the same by *Brinkley*, who was with you, and my Lord Chief Justice committ'd him.

Prisoner. I try'd them for Scandal before the Lord Chief Justice *Lee*, and *Rogers* and his Evidences swore they did not say the Guineas were diminished,—that was the Case.

Mr. *Gregory's* Evidence agreed exactly with Mr. *Rogers's*.

Edward Burdet confirm'd both the former Witnesses. He happen'd to go with two Friends to drink at Mr. *Rogers's* when the Prisoner was

there with his Guineas, and his Evidence was the same with theirs. He added, that the Prisoner abused Mr. *Burdet* for calling him his Neighbour; but when the Thing was plain, he beg'd he would drink with him, and told him it should nor cost him a Farthing, but the Witness refus'd, and told the Prisoner he did not like him. He farther observ'd, that *Roberts* had Charcoal frequently brought in; that he always appear'd dress'd like a Gentleman, and *Brinkley* us'd to go on his Errands. And tho' the Prisoner (upon his being tax'd with using Charcoal) had declar'd he had no Grate in the House, yet the Witness depos'd, he saw one carry'd in, and the Person by whom it was sent was by him (the Witness) directed with it to the Prisoner's House. This Witness farther inform'd the Court, that he seldom saw the Prisoner's Windows open; but once (on a Sunday) he saw him at the Window, in an odd Motion, sweating, (tho' in Winter-time) and concluded he must have been doing something at the Fire.

Thomas Ubark, who lived with Messrs *Allcraft* and *Stevens*, Refiners, in *Foster Lane*, depos'd, That the Prisoner had sold Gold to them several Times. The first Gold he sold them was Rings, and such things, which were melted for him. That he had brought three Ounces of Gold, at several other Times; particularly, at the latter End of the Year 1737, and the Beginning of the Year 1738. He believed he had brought Gold to sell four or five Times, in all; and it was always a little worse than Standard; for if it had been Standard, it would have been suspected. He said farther, That one *Prestland* was the Man who first brought him to their House.

Mr. *North* inform'd the Court that he had been to enquire after this *Prestland*, but his Master had acquainted him, that *Prestland* had absconded, and had sent him a Letter, in which he declar'd that he had got out of the Way, because he would not be subpcna'd upon this Trial, as a Witness. The Letter was produced and read.

S I R,

July 19. 1739.

" I Am told, That *Roberts* will be try'd To-morrow, and that I shall be subpcna'd; so I think to keep away till the Trial is over. I shall keep out of the Way till To-morrow Afternoon; then I shall wait on you. I am,

Your Humble Servant,

GEORGE PRESTLAND.

Carter informed the Court, that he saw *Presland* last Monday Morning; and, That he (*Presland*) told him he would come if *Mr. North* sent for him; but if he did come, he should be of Service to *Roberts*, for he had been with him at the Pawn-Broker's to buy Gold.

Mr. Cooling deposed, That he had went to the Bath, last Spring, and saw the Prisoner there, whom he had known before: And having seen the Advertisement, he informed *Mr. Baron Thomson* (who was then at Bath) that he had seen the Prisoner: That he got proper Assistance, and went to the Prisoner's Lodging; That he being above Stairs, his Wife called out to him to take Care of himself; That he stood at the Top of the 2d Pair of Stairs with an Axe or a Hatchet in his Hand, and said, — God damn you, Gentlemen, stand off, — I'll chop down the first Man that comes here; That they went for a Gun, and having loaded it, one *Mr. Mullins* clapped it to the Prisoner's Breast; upon which he surrendered.

Henry Woolcot and *Richard Jefferies* confirmed *Mr. Cooling's* Evidence, with Relation to the Apprehending the Prisoner. They both added, That he told them (when he was in Custody) he knew there was a Reward for taking *David Roberts*, and they were welcome to it.

Elizabeth Bosworth, with whom the Prisoner lived in Cold bath Fields, deposed, That they liv'd two Months in her House, and paid her honestly; she observed they were in Necessity, and she never saw any Gold, or Crucibles in his Room, tho' she had often been in it; That they never made any Fire, but eat their Victuals with her. She farther said, that she nursed a Child for him, when he lived in Pear-tree-street, and that he had no Grate in that House; That the Prisoner used to go out in the Morning to Work, and came home o' Nights, and employ'd Men in his Business.

Richard Williams had known the Prisoner three Years. He lodged in the Witnesses's House three Years ago, but knew little of him since that Time.

David Wallis, a Peruke-maker, had made a light Bob-wig, and an almost black one for the Prisoner, who paid him three Guineas for them.

John Taylor, of Pear-tree-street, got acquainted with the Prisoner last Michaelmas was twelve Months. He kept a Publick House, and had changed many Guineas for the Prisoner. In particular, he had changed four Guineas at a Time for him, the Day he opened; which Guineas he

had paid away, and they had not been objected to.

Francis Dawson deposed, That the Prisoner took a House of him at Islington, and left it before the Advertisement came out, because *Mr. Rogers* had sued him to an Execution.

John Wallis had worked under the Prisoner four Years ago, as a Carpenter, but he knew little of him since.

Elizabeth Bosworth added, that she had been in every Room in the Prisoner's House, except the Garret, and she never had seen any Charcoal there. Guilty, Death.

405. *Sarah Kingman* was indicted for privately stealing three Shillings from the Person of *Moses Wheeler*, June 17.

Moses Wheeler. She picked my Pocket of three Shillings, and took it out by Violence. 'Twas on the 17th of June, at the George Ale-house, in Queen Street, next Cheapside. I called there between Three and Four in the Morning, for a Pint of Beer, and the Prisoner being standing at the Bar, with the Landlord of the House, I ask'd her to drink. She said, she did not care if she did; so she drank Part of that Pint, and then I called for another, and she drank Part of that too. When the second Pint was out, I gave the Drawer a Shilling, and he gave me Nine-pence out of it. In the mean time a Man came in and sat down in the Box with her, — I suppose he was one of her Gang, — and he told me he would spend a Penny with me, for a Pint of Twopenny. The Prisoner was then in the Inside of the Box, with the Fellow, and I was on the outside. He threw down his Penny on the Table, and I pulled out my Money, to take a Penny to put to it. Upon which she flung her Hands about my Neck, and said, — my Dear, you shall feel me; and at the same time she twitched three Shillings out of my Pocket, and flung herself that Minute from me. I told her she wanted to pick my Pocket, and I looked to see what Money was there, and missed three Shillings. I charged her with taking my Money, and put my Hand down her Bosom to see if it was there, but it was not. Then I turned her round in the Box, and said, — before you go, I will have my Money, or Satisfaction. She immediately sat herself down, and pulled out a Box, like a Tobacco-box, and opened it; there was about fifteen or sixteen Shillings in it; and she asked me if that was my Money? After this she stooped, and shifted some down by her Side, and then she cry'd, — now damn

damn you, ——— you Son of a Bitch, ——— I will go with you to the Compter, and away she went to the *Poultry Compter* (a little before 5 o'Clock) and rapped at the Wicket; the Door was presently opened, and she was let in, but they shut me out. There happened to be a Man at this Time sitting at the Compter Gate, and I desired him to go for my Brother: He came to me, and then we knocked at the Gate, and asked for the Woman; they deny'd her, but in the Morning we got her out, and took her to *Wood-street Compter*; and as we were going along, she took out her Box, with the Money, and said, — here you Son of a Bitch, here's your three Shillings again, ——— I believe you want a Shilling more than I do, and I'll give you another Shilling to take it, and she up with her Fist and gave me such a Stroke on the Face, that she swelled up my Eyes.

Jury. We would desire to know if the Prosecutor had been out all Night?

Wheeler. I had been out with Work that Night, and had come from *Dick's Shore*, at *Lime-house*: I parted with my Master there, about Twelve o'Clock.

Jury. Upon your Oath did not you know that this *George Ale-house* was a disorderly House?

Wheeler. No: I never was in the House but once before in my Life. The Doors were open, and I was dry with walking so far; so I went in for a Pint of Beer. I found the Prisoner used to keep Company with one *Frank Smith*, a Smuggler, in the Compter, and that the People at the Compter let her out and in. When she had done Mischief, she used to whip down thither to be screened.

Richard Lawrence. The Prosecutor sent a Watchman for me, about Five o'Clock in the Morning, and I went directly to the *Poultry Compter*, where I found him keeping Guard, lest the Woman should be let out. He told me she had picked his Pocket of three Shillings and some Half-Pence. I asked the Turnkey what Time they let People in, to visit the Prisoners. He told me at Six o'Clock. Why, says I, this Woman came in without a Constable, and 'tis not half an Hour past Five now: You let People out to go a robbing; the Woman is in the Gaol, and I must look for her. He said he would not look for her, and bid me get in, and look for her myself, and be damned; I searched, and could not find her; then I said I would complain to the Sheriff. D—mn it, he did not care if I did, and

one Fellow was going to strike me. After this, we search'd for her again, and at last we found her in the Prison, a-bed with a Man. When we had got her out, she said,—now, d—mn you, what do you want with me, you foolish Dog,—you can only return me to the Place where you found me,—you can only send me home again; no, my dear, said I, you sha'n't go home again, we'll move you to *Woodstreet Compter*. As we were carrying her thither, she would go cross *Honey-Lane Market*; O, said I, I find you know the nearest Way thither too; and when we were got into the Market, she pull'd out her Box,—Here,—you poor Dog, said she, I know you want Money,—here's your three Shillings again, and a Shilling more for you to take them, and I will go about my Business. No, my Dear, said I, you shall not go. Why, said she, you don't know, you foolish Dog, what you're about, I let my ——— out to be bowl'd at, and you are to be one of the Bowlers: And when we got her near Sir *William Billers's Office*, she struck *Wheeler* in the Face, and gave him a black Eye. At the Compter she was well known; the People there cry'd,—how do you do, *Moll*? but her right Name is *Sarah Kingman*. When we carry'd her before Alderman *Parsons*, she beg'd hard to be sent again to the Compter, but he sent her to *Newgate*, and when we came under *Newgate*, she watch'd her Opportunity, and gave the Prosecutor another Blow in the Face, and bid him kiss her ———, now he had done his worst, and she would be revenged on him.

Mr. Ravis, the Constable, depos'd, that the Prisoner was a notorious Offender; that she had been once transported by the Name of *Sarah How*. He confirm'd the Account given of her impudent Behaviour, and of her beating *Wheeler*, as they were carrying her to *Woodstreet Compter*, and to *Newgate*. He said, the Prosecutor was as sober as any Man could be. Guilty, Death.

The Jury recommended her for Mercy.

407. *Bogden Dopley** was indicted for a Conspiracy, in endeavouring falsely to charge *Ann Lewis* with a Felony; but the Prosecutors not appearing, he was Acquitted.

408. *Daniel Hanna* was indicted for stealing a Ram-Sheep, val. 20s. the Goods of *Thomas Finch*, July 11. Guilty.

409. *Elizabeth Rookes* was indicted for stealing four Pair of Worsted Stockings, val. 14s. the Goods of *Anne Descombell*, June 21. Guilty, 4s. 10d.

410. *Henry*

* Vide ante Numb. 221, 377.

410. *Henry Stoddard* was indicted for stealing two Silver Spoons, val. 30 s. the Goods of *John Borlace*, in his Shop, *June 7*. Guilty, 4 s. 10 d.

411. *William Coffey* was indicted for stealing two Linnen Shirts, val. 5 s. three Linnen Caps, val. 1 s. and a Muslin Hood, val. 6 d. *June 25*. Guilty.

412. *Mary Jones* was indicted for stealing three Shillings, the Money of *Thomas Francis*, *June 15*. Guilty, 10 d.

413. *Alice Bray* was indicted for stealing a Pair of Leather Pumps, val. 4 s. the Goods of *Francis Rayther*, *July 22*. Guilty.

414. *John Britt* was indicted for stealing 12 Yards of Tammy, val. 9 s. the Goods of *John Cook*, *June 22*. Guilty.

415, 416, 417. *Rebecca Robinson*, *Mary Rider* and *Dorothy Menpet*, of *Chelsea*, were indicted for stealing 24 Pewter Plates, val. 21 s. a Pewter Dish, val. 5 s. 11 Pewter Pots, val. 16 s. and a great Quantity of other Goods, the Property of *Philip Dory*, in his Dwelling-house, *July 10*. And

418. *John Tharm* (Pawnbroker) was indicted for receiving 24 Pewter Plates, a Pewter Dish, 11 Pewter Plates, a Pewter Bason, and several other Things, knowing them to be stole.

All Acquitted.

419. *William Guy* was indicted for privately stealing a Man's Hat, and a Peruke, from the Person of *Charles Sommer*, *July 15*. Guilty 10d.

420. *William Neal* was indicted for stealing a Silver Watch, value 42 s. the Goods of *Mary Pool*; two Gold Rings, the Goods of *Thomas Richardson*; a Gold Ring, value 7 s. the Goods of *Diana Backwell*, and several other Things, the Property of Persons unknown, *June 29*. Guilty, 39 s.

421, 422. *Jane Carter* and *Ann Matthews* were indicted for stealing seven Silver Buttons, a Gold Locker, a Pair of Silver Buckles, and several other Things, the Property of *Mary Cockain*, *June 13*. *Carter* Guilty, 10 d. *Matthews*, Acquitted.

423. *Mark Woddin* was indicted for stealing 12 Guineas and 4 Shillings, the Money of *Joseph Horn*, in his Dwelling House, *July the 12th*. Guilty, 10 d.

424. *Thomas Proby* was indicted for stealing a Silk Gown, two Aprons, a Pair of Thread Sockings, and other Things, the Goods of *John Wathen* *July 16*. Guilty, 10 d.

425. *Samuel Day* was indicted for stealing a Pair of Stilliards, the Goods of *Joseph Henshaw*, *June 8*. Guilty, 10 d.

426. *Anthony Johnson* was indicted for stealing a Pair of Leather Breeches, a Pair of Stockings, and several other Things, the Property of *John Tugwell*, *June 21*. Guilty, 10 d.

427. *Thomas Dennis* was indicted for assaulting *James Rossington*, and feloniously demanding his Money, with an Intent to steal the same, *July 3*. Guilty.

428. *James Signal* was indicted for stealing 41 Silk Handkerchiefs, the Goods of *Charles Wall* and *John Stanton*, in their dwelling House, *June 27*. Guilty 39 s.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 5.

Thomas Bridge, *Sarah Kingman*, *Francis Trumble*.
George Brodarick, *David Roberts*,

BURNT in the HAND, 1.

Katherine Miller.

WHIPT, 5.

Alice Bray, *Thomas Drinkwater*, *Mark Woddin*.
Jane Carter, *Elizabeth Keeve*,

TRANSPORTATION, 20.

James Signal, *William Eeles*, *William Neal*,
John Britt, *Arthur Emmery*, *Thomas Proby*,
William Cuffley, *William Guy*, *Elizabeth Rookes*,
Samuel Day, *Daniel Hanna*, *Martha Smith*,
Thomas Dennis, *Nicholas Heney*, *Henry Stoddard*,
John Dewslury, *Anthony Johnson*, *Ann Thompson*.
Will. Dickenson, *Mary Jones*,

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Thursday
the 6th of September.

THE
PROCEEDINGS

AT THE
SESSIONS of PEACE, Oyer and Terminer,

FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,

ON

THURSDAY the 6th, FRIDAY the 7th, and SATURDAY the
8th, of September.

In the 13th Year of His MAJESTY's Reign,

BEING THE

Seventh SESSIONS in the MAYORALTY

OF THE

Right Honourable *Micajah Perry*, Esquire,

LORD-MAYOR of the CITY of LONDON.

NUMBER VII.

L O N D O N:

Printed and Sold by T. COOPER, at the *Globe* in *Pater-noster Row*,
MDCCXXXIX.

[Price SIX-PENCE.]

THE PROCEEDINGS

AT THE

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICHAEL PERRY, Esq; Lord-Mayor of the City of London; the Right Honourable the Lord Chief Justice WILLES, Mr. Baron THOMSON, Mr. Serjeant URLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City, and County of Middlesex.

London Jury.

Thomas Lee,
Richard Fenton,
Isaac Gibbon,
Henry Sanderson,
Samuel Bolton,
William Knight,
John Harrison,
Thomas Biddle,
Benjamin Bratbwaite,
Humphry Higgonson,
William Buckstone,
Charles Cooling.

Middlesex Jury.

Thomas Nichol,
Ralph Marsh,
Richard Haley,
Edmund Franklin,
Daniel Weedon,
John Marsh,
Richard Sutton,
John Cox,
Henry Bristol,
William Aldridge,
John Freeman,
John Brooks.

429. Elizabeth Wood was indicted for stealing several French Books, value 3s. the Goods of William Salkeld, July 11, Guilty.

430. William Cardel was indicted for assaulting Phillis Grindall, in a certain publick Street and common Highway, in the Parish of St. Botolph, Aldgate, putting her in Fear, &c. and taking four Holland Shifts, value 40s. three Callico Shirts, val. 7s. 6d. five linen Aprons, val. 30s. and a Dimitty Petticoat, val. 7s. 6d. the Goods of Mary Chaplin, from the Person of the said Grindall, Aug. 15.

Phillis Grindall. On the 15th of August, about Nine o'Clock at Night, I was going down the *Minories*, with this Bundle of Linnen, and the Prisoner dogged me; sometimes he was on one Side of me, sometimes on the other, and sometimes he was at my Heels. When I had got about 10 Doors past the Corner, at the Bottom of the *Minories*, he snatched hold of the Bundle; I screamed out — *Murder!* — *Stop Thief, I am ruined!* I held fast, and he pulled, and I pulled. In the Struggle I fell down; and the violence of the Fall stopped my Breath, and broke my Elbow, in such a Manner, that I could not use my Arm for a Fortnight. When I got up, the Prisoner was got away with the Bundle, but I still cry'd out, *Stop Thief!* and the Prisoner was taken by the *Merchant Taylors Alms-Houses*, about twenty or thirty Yards from the Place where he robbed me, and then some People came to me, and bid me not cry out, for the Man (they said) was taken. There was four Holland Shifts, three Callico Shirts, five Linnen Aprons, and a Dimitty Petticoat in the Bundle, and they were the Property of *Mary Chaplin*. He took the Goods from me just by a Lamp, by which I saw the Side of his Face, and I observed him as he followed me down the *Minories*, and imagining he had some ill design, I held my Bundle as fast as I could. I took Notice of the Prisoner's Cloaths the next Morning, and they were the same that he has on now.

Samuel Nott, junior. About a Quarter after Nine at Night, my Father and I were standing at my Door, and we heard this young Woman cry out *Murder! Stop Thief!* I saw the Prisoner tugging the Bundle from her, and I thought they were Man and Wife, and might be quarrelling. But when he took to his Heels with the Bundle

Bundle, I pursued him, and overtook him about thirty Yards from the Place where he took it, upon which he flung it down, and it struck me upon my Thigh. I picked it up with my left Left Hand, and with my Right I seiz'd the the Prisoner. This is the same Bundle the Prisoner then dropped.

Grindall. This is the Bundle he took from me; 'tis just as it was, when it was taken, and these are the same Things which were then in it.

Prisoner. Ask Mr. Nott, if I attempted to stir; for I was so much in Liquor, that I could not stand.

Nott. I never saw the Prisoner before that Night, in my Life. When I laid hold of him with my Right Hand, my Father seized him on the other Side, and told him, if he offered to make any Resistance he would knock him down with an Oaken Stick, which he had in his Hand. Upon which the Prisoner said, ——— Mr. Nott, I will not resist.

Prisoner. Ask *Grindall* whether she is not persuaded to prosecute me, by Mr. Nott; and whether the Prosecution is not carry'd on at his Expence?

Grindall. No body persuaded me to prosecute; but as the Prisoner and the Goods were taken, we were all obliged to prosecute: We went before the Lord-Mayor, and he bound us all over.

Mr. Nott, senior. I was standing that Night at the Door, talking with my Son, and hearing a Cry of *Murder! Stop Thief!* I turned my Head, and saw the Prisoner run with the Bundle under his Arm. I cross'd the Way and caught him by the right Shoulder. He had dropped the Bundle and was got a little Way from it, but we dragg'd him to it, and my Son took it up. The Prisoner seemed to be at that time, as sober as I am now.

Mary Berry. The Linnen was my Mistress's, *Mary Chaplin's*; she lives in *Aldermanbury*. I delivered the Things to *Grindall* a little after Eight o'Clock at Night, in order to their being wash'd; and she was then carrying them home.

DEFENCE.

A Witness. I live opposite to the Prisoner's Father: He is a very honest Lad, as far as I know. He makes Backs for Distillers and Brewers, and has been out of his Time about four or five Years. When he has any Business, he will work; but since the Commencement of the Gin Act, his Trade has been dead. I saw him that Afternoon

at work in a Disteller's Shop; and I saw him again, vastly fuddled, between Five and Six o'Clock.

Another. I have known him thirteen or fourteen Years, and have drank with him in his Father's House. I saw him that Afternoon, about two o'Clock, at the *Rosemary Branch*, pretty near his Father's House, in *Rosemary-Lane*; he was much in Liquor, and was quarreling with a Woman, who was beating him.

Several other Witnesses appeared to the Prisoner's Character; who never heard any Ill of him before. Some of them declared, they did not know what Business he had followed this last half Year, but they imagined his Father maintained him.

A Constable likewise deposed, That Mr. Nott desired him to take Charge of the Prisoner, on account of this Robbery, and he (the Prisoner) was very much tuddled, and deny'd the Fact.

Another Constable mentioned something of a Fray the Prisoner had been in, and for which he had been put in the Compter; but he had not heard of his having wrong'd any body.

Prisoner. I might be in Liquor, and might run against the Woman, there's not a Man on Earth, can lay any Dishonesty to my Charge, before this Time.

The Jury found the Prisoner Guilty of the Indictment, but recommended him to his Majesty's Clemency. *Death.*

431. *Joseph Richardson* was indicted for stealing 28 lbs. of Sugar, val. 5 s. the Goods of *Colin Campbell* and *David Curry*, in the Parish of *St. Dunstan in the East*, July 31. Guilty.

432. *John Albin* was indicted for assaulting *Ann Price* and *Hannah Prior*, in a certain Field, and open Place near the King's Highway, putting them in fear, and taking a Gold Ring, val. 18 s. and 17 s. in Money, the Property of *John Price*, from the Person of *Ann* his Wife; and a brass Ring, val. an Halfpenny, and 2 s. 6 d. in Money, the Property of *Thomas Prior*, from the Person of *Hannah* his Wife, May 21.

Ann Price. On the 21st of May last, Mrs. *Prior* and I were coming from *Kilburn* towards *London*, between Three and Four o'Clock in the Afternoon, and the Prisoner met us about two or three Fields from *Marybone*. He came in at one End of the Field, and we came in at the other. The Minute I saw him, I had a Dread upon me that he would rob us; for he came on with a sauntering Pace, and had a Stick in his Hand.

K k 2

I said,

said to Mrs. Prior,—*we shall certainly be robb'd!* No, said she, I hope not,—pray take Courage. When the Prisoner came up to us, I call'd out,—*Tom Prior, Tom Prior* (which is Mrs. Prior's Husband's Name)—you sha'n't go abroad with us any more, if you must stay behind to look Birds-nests. Mr. Prior was not with us, but I said this, that the Prisoner might imagine he was not far off; and upon this he pass'd by us, and went about twenty or thirty Yards beyond us; then he turn'd about and follow'd us, and when he overtook us, he said,—*Aye, G-d d-mn you, Madam, I'll give you something besides Birds-nests, and immediately he put his right Hand into his left Side-pocket, and pulled out a Pistol of a very uncommon Size, and clapp'd it to my left Breast, crying, d-mn you, Madam, your Money and Rings. I had none but my Wedding-ring, which I pull'd off, and told him, I had no other, except that, which was my Wedding-ring, and he should have it; when he had got it, he still kept his Pistol to my Breast, and stamping with his Foot on the Ground, he cry'd,—d-mn you, your Money; then I put my Hand into my Pocket, and pull'd out about seven Shillings, some Half-pence, and a Cork-screw, which he threw at me again. After this, he stamp'd again, and said to Mrs. Prior,—And d-mn you, Madam, your Money: I saw her give him some Money, but how much I cannot tell. All the while he was demanding Mrs. Prior's Money, and taking it from her, he kept the Pistol to my Breast; and when he had got what he could, he said,—*Now, d-mn you, go on, and you'll meet two more presently; this struck such a Terror into us, than we ran out of the Path way, a-cross the Fields, and over two or three Ditches, to a Farm-house, kept by one Mr. Francis, and when we got there, we were ready to die. I never saw the Prisoner before that Time, but I am positive he is the Man. He was taken up for another Robbery, and I went to see him in Newgate, and knew him immediately: He has got a Wig on now, but he had none when he robb'd us; his Hat was flapp'd, and he had a Bough which he play'd about in his Mouth. When I saw him in Newgate, he abus'd me, and call'd me several Bitches, when he found I knew him.**

Thomas Adams, a Constable of Pancras. I had a Warrant brought me from Mr. Dewell, against the Prisoner, by Mr. Griffin, on Suspicion of breaking open his Shop, and stealing a Parcel of Books. I took him (I think) on the 9th of August, in his Father's Hay-loft, at Tottenham-Court,

pretty near the Turnpike, where I found him hid behind the Hay. I did not know any thing of this Robbery then, nor have I had any Discourse with him concerning it since. He made no Confession of any Kind to me; but he seem'd to be under a great Surprise when I took him, and made but little Resistance.

This Witness inform'd the Court, that *Hannah Prior* was taken with an Apopleckick Fit the Day before this Trial came on; and that he call'd at her House, as he came to the Court, and found her but just alive.

Prisoner. I have no Witnesses to call. I never did any such thing in my Life; and 'tis hard to take away my Life for nothing at all. I never was guilty of such a thing, as God's my Saviour, and you my Judge. Guilty, Death.

433. *John Albin* was a second Time indicted, with *Fortunatus Albin*, his Brother, for stealing a printed Book, called the *Craftsman*, being a Critique on the Times, Vol. II. val. 1 s. one other Book called the *Craftsman*, &c. Vol. III. val. 1 s. one other Book, called the *Craftsman*, &c. Vol. IV. val. 1 s. and several other Books, to a considerable Value, the Goods of *William Griffin*, in his Shop, Aug. 2. *John Albin* Guilty, *Fortunatus* Acquitted.

434. *D—C—* was indicted for stealing two Silk Skirts of a Child's Coat, val. 2 s. 6 d. and other Cloaths, the Goods of *Mary Gray*; and a Pair of Cloth Breeches, val. 8 s. and several other Things, the Property of *Jeremiah Gray*, Aug. 19. Guilty.

435. *Edward Boyles*, alias *Joynes of Stepney*, was indicted, for that he, not having God before his Eyes, &c. on the 15th of July, in and upon *Mary* his Wife did make an Assault, and with both his Hands, her upon the Throat, feloniously, maliciously, and of his Malice aforethought, did squeeze and press, giving her, by squeezing and pressing as aforesaid, a mortal Bruise, of which mortal Bruise, from the 15th to the 20th of July she languished, and languishing lived, and then died.

He was a second Time charged, by vertue of the Coroner's Inquest, for the Murder of his said Wife.

Martha Cadmore. The Prisoner and the Deceased lived at *Paplar*. On the 15th of July, between Ten and Eleven in the Morning, I was going by his Door, and hearing a Noise in the House, I went in, and found the Wife of the Prisoner sitting in a Chair, by the Chimney Corner, in the Ground-Room,—the Shop, as they call'd

call'd it, where they sold Greens; she was holding one Arm with the other, and cry'd, *O that wicked Villain! that wicked Villain has wrung my Arm to Pieces!* The Prisoner was present, and said,—Did I do it, you old Toad? I only flung a Pint of Beer at you. I look'd down, and there was indeed a Slop upon the Ground by her. I did not stay long with her, but went home to my own House, about four Doors from the Prisoner's; and in about two Hours Time I heard an Outcry again, upon which I return'd, and saw the Deceased's Face all over gore Blood; he had drove her in that Condition out into the Street, and she cry'd,—*O that Villain,—now he has done my Business!* This was on the 15th of July, and I saw her no more from the 15th to Friday the 20th, and I happen'd to call to see her that Day, before she died. While I was then with her, he came up into the Room, and put his Arm under her Back, to raise her up; and, *Gammer* (says he to her, I think that was the Word) have you any thing to alledge against me? She shook her Head, and would not have spoke, but he urg'd her to speak, and in the mean time she had a Convulsion Fit, so he laid her down, and when she came to herself, he asked her again, if she had any thing to lay to his Charge? Upon this she put her Hand to her Throat, and said,—*he had been the Death of her*, but she forgave him, if the World would; the Prisoner immediately said,—*That was the Word he wanted.*

Prisoner. Mrs. Cadmore, did not she fall down and hurt herself? And when I asked her, whether she had any thing to lay to my Charge, did not she say,—No?

Mrs. Cadmore. About three Weeks or a Month before her Death, (as near as I can remember) she fell down and broke her Arm: I don't remember the Time exactly.

Mary Spalding. The Deceased was my Mother. The Prisoner marry'd her about a Year or 14 Months before she died, and during that time, he us'd her very barbarously. While I was at home with her, I never saw him strike her with his Hands, but he would heave Stones, Brick-bats, Pans, Pipkins, and Iron Bars at her, and bruise her in a gro's Manner. Once he hit her on the Head,—on one Side of her Eye, and she frequently had black Bruises about her, tho' she did not keep up on these Occasions, because she work'd for her Bread; but on the 15th of July he struck her, and did her Business. About Ten or Eleven o'Clock that Morning, my Mother was a-dry; I went and fetch'd her a Pot of Beer;

the Prisoner was at the Ale-house right against our House, and seeing the Beer come in, he flew over, and swore he would heave the Pot and the Beer at her: She had the Beer in her Right Hand, he beat it down, and with one Hand he caught hold of her Left Arm, which was lame, and twisted it; with his other Hand he grasped her Throat, and struck her Head against the Wall. Her Arm was very bad; but she did not feel much of that, by reason of the Misery she was in with her Throat; but when the Neighbours came in, she told them, That Rogue had broke her Arm again,—all to Pieces. About two Hours after this, he came in again, (he had been drinking) and he buffeted her in the Face with his Hat, till her Eyes ran down with Blood; and then he call'd her old Bitch, and bid her go and shew her Marks, and take him up again Tomorrow.

Prisoner. O fie upon you Mary!

Spalding. He had cut her in the Head before, (I can't tell how long it was ago) and she had him taken up for it. The last ill Usage was on Sunday the 15th of July; on the Tuesday she took to her Bed, and never came down till she was brought down; she died the 20th.

Prisoner. Why Mary, she died on the Friday.

Spalding. Well,—that was the 20th. We spoke to a Surgeon about her the same Day that she died, but he did not like the Looks of the Prisoner, and he would not go up Stairs. I did not take Notice of any Marks upon her after she was dead, so I know nothing of *Them*; but she complain'd to the last of her Throat; he did not hold her by the Throat above half a Minute, yet to the Day she died she could not swallow any thing. She complain'd likewise of her Back, for something better than a Month before, I saw him give her a Kick on the Back, with some Violence, when she was on the Middle of the Stairs, and she slipped down three Stairs, after which she complain'd of her Back.

Prisoner. Mary, did I kick her down Stairs?

Spalding. Yes.

Prisoner. No, my Dear, I never did; I only beat the Pot of Beer out of her Hand; I never did any thing else to her;—there she stands, and knows it.—She says, I buffeted her with my Hat, and made her Eyes bleed;—she always had sore Eyes.

Spalding. When he buffeted her with his Hat, he cut the inside of her Eyes, with the Edge of it. I am sure the Blood came from the Inside; for her Eyes were afterwards wash'd, and the

Corners were sore, and after I had washed away the Blood, it oozed out for a Minute or two, — it did not run fast.

Catherina Lutolph. I am very sorry I did come to the Place; I rather had been in Bed, sick, than (have) seen such a Sight. The Deceased and I were very great; she had nobody but me, she could tell her Secrets to; so on the *Tuesday* after he had done this Damage, she sent for me. I saw her in a dangerous Condition, and she told me she was very bad; her Neck was very sore, and she complained very much of her Back. I told her she had caught Cold, — no, no, (she said) my Husband came home in a drunken Manner, and pinch'd my Throat, and struck my Head against the Brick-wall, and it has been my Death. She was a poor Woman, like myself, and she used to go a Shoring (picking up what she could find upon the Shores, when the Tide was down, for Firing) and about a Week before this Hurt was done her, she fell down on the Shore, and hurt her Arm, and was very bad with it then, but she now complain'd of nothing but her Back and her Throat.

Prisoner. Mind what you say, Mrs. *Dutchwoman*.

Lutolph. I saw the Deceased on the *Wednesday* and on the *Thursday* before she died, and the Prisoner then shew'd all Love and Kindness to her, and spoke to her as a Husband should speak to a Wife. She bid him go to Work; but he would make much of her, and sit by her; then she bid him go away: She did not like to see him, and told him he had done what he should not have done to her.

Prisoner. O fie upon you!

Lutolph. On the Day she died he came to her again; and said, *Gammer*, Mrs. *Fox* and Mrs. *Poor* want to come and see you; she told him, she did not care to see them; but I persuaded her to bear no Malice; so they came with the Prisoner to the Side of the Bed, and he said to the Deceased, — People say I killed you, and that I shall be hanged for you, now tell before Mrs. *Fox* and Mrs. *Poor* if I killed you: He took her by the Shoulder to raise her up, and she fell in a Convulsion Fit; when she came to herself, he asked her Forgiveness; how can you (said she) ask Forgiveness of me? I will forgive you if the World will.

Prisoner. O mind what you say.

Lutolph. Yes, I do. — After she said she would forgive him, he turned himself round on his Foot, and said, — a T-rd for you all, that

is all I wanted. Before she died, she desired me and another to lay her out, and then we should see (she said) what she had gone through: She died that Day; we laid her out about Ten o'Clock that Night, and only observ'd that her Neck was swelled; but next Morning it was very black a Hand's Breadth, and as far (we imagin'd) as he had grasp'd. While she was alive, her Throat was so swell'd that she could not swallow a Quarter of a Tea-spoonful, nor could she pin her Cap.

Prisoner. Did I ever take her by the Throat? Indeed I did not.

Elizabeth Nash. I saw the Deceased about Five in the Morning before she died: She would have eaten a little Milk Porridge, but her Throat was so swell'd, she could not get a Tea-spoonful down. She told us the Prisoner had pinch'd her Throat in such a Manner, that it was the Occasion of her Death. Mrs. *Lutolph* and I laid her out, when she was dead; and I observ'd several black and blue Marks upon her Legs and her Back; her Throat was very much swell'd, and was very black.

Prisoner. What did I say to you, when my Dame said, — Gaffer, I am very bad?

Nash. He asked her several Times to forgive him, and she said, she would forgive him, if the World would. She was disturbed at the Sight of him, and did not care to see him.

— *John Clarkson, Surgeon.* I view'd the Body of the Deceased three Days after her Death; she was terribly bruised all over her Body, from Head to Foot, her Sides and her Back in particular; and there was a large Tumor on the Left Side of her Throat, which was very black, and which, I imagine, was occasioned by pinching or strangling. The Coats of the Gullet were putrify'd, and in the Passage into the Stomach there was extravasated Blood, which had turn'd into Pus or Matter; and this occasioned the Soreness which prevented her swallowing, and, in my Opinion, was the Cause of her Death. On her Back, between her Shoulders, were some black Places, as broad as the Palm of my Hand, which I imagin'd were made by beating or kicking. On her left Side, and just under her Breast, were great Marks of Violence; but I did not find her Arm fractur'd, I believe the Disorder in her Throat might occasion her Death, and that the other ill Usage she had received might hasten it.

Prisoner. I must leave it to him and you, my Lord. I have nothing to say, — but I know what I did; and I only heav'd the Pot of Beer down,

down, because she did not fetch it where I would have had her. I have no Witnesses, but her Daughter; please to take it into Consideration, — I'll be as good as I can to her now. Guilty, Death.

436. Mary Lacock, otherwise Lane, was indicted for stealing a Copper Sauce-pan, val. 8 s. two Blankets, val. 4 s. two Feather Pillows, val. 2 s. and a Smoothing-iron, val. 1 s. the Goods of Michael Hufsey, in her Lodging let to her by the said Hufsey, Sept. 3. Acquitted.

437. Elizabeth Farrard, of Isleworth, was indicted, for that she being big with a certain Male Child, the said Male Child she did, alone, and secretly, bring forth alive, and which Male Child, by the Laws of this Realm, was a Bastard. And she not having God before her Eyes, &c. as soon as the said Male Bastard Child was born, with Force and Arms, on the said Male Bastard Child, so alive, feloniously, &c. did make an Assault, and with both her Hands, the said Child, into a certain River, called the Powder-Mills River, did cast and throw, by reason of which casting and throwing into the said River, the said Child was suffocated and drowned, of which Suffocating and Drowning it instantly died, July 10.

She shas likewise charged, by vertue of the Coroner's Inquest, for the said Murder.

John Thackery. I am Beadle of Isleworth: On Saturday the 14th of July, Mr. Ions, a Farmer there, found a young Child in the Powder-mills River, and I was ordered to go and fetch it. I went, and saw the Child in a Meadow, covered with a little Grass. It had been taken out of the River before I came, and did not seem to be swelled, or to have any Water in its Body; but on the left side of the Head it had had a Blow; the Blood was congealed, and the Place was so soft, that I could have thrust my Finger into the Skull: I took it to the Stock-house, and on Monday the Overseers of the Poor sent to Mr. Wright, the Coroner, for Letters to bury it. While they were gone, a Woman came to me, and told me she suspected the Prisoner, who worked in the Gardens, and gathered Fruit. I went after her, but did not take her; the Overseers of Teddington brought her to us, and our Churchwardens ordered me to get her a Bed, because she was not in a fit Condition to be sent to Newgate. On Wednesday the Coroner sat on the Body, and he ordered me to shew it to the Prisoner. She begged I would not bring it near her, for (said she) 'tis my own Child, — born of my own Body. I asked her how she could tell That, unless she

saw it? She said, it was, and she was very sorry for it: But she did not see it, nor would she suffer me to open the Coffin. When she was first brought to us, we told her under what Circumstances we found the Child, and she did not then say any Thing to it; but on Thursday Night I sat up with her, and in the Middle of the Night she asked me, if I had been to see after John Gadd? I told her no, I did not know him. She said he was at Drayton; that he went there last Monday, and had taken a Field of Wheat to reap; that she was with him last Sunday Night, and was to have met him again had she not been taken.

Elizabeth Nell, Midwife. When the Prisoner was taken, I was sent to examine her. I asked her if she had had a Child? She said, yes; she was delivered on the Monday before, in a Field as she was going over a Style, and some Men coming by, she went away and left the Child behind. I told her, that Story did not appear feasible, and asked her if it was born alive? She said it was not: And I reply'd I was sure it was born alive by its Head; for it was very much bruised and swelled, and the Blood was congeal'd, which I apprehend it would not have been, had it been born dead. After I had told her I was a Midwife, and it would be better for her to tell me the Truth; she said — then, Mrs. Midwife, I will tell you the Truth: — The Child was born alive, and liv'd a Quarter of an Hour, but as she was sitting in Pain by the River-side, with the Child in her Lap, it rolled out of her Lap, into the Water. I asked her again, how long it liv'd, and what she wrapped it in? She said, it lived half an Hour; that she tore a Piece of her Apron to wrap it, and that it had been dead half an Hour, or an Hour before she threw it in. I enquired of her, if she had made any Preparation for its being born? She told me, she had two Caps given her, but she had given them away again. The Child was brought to my House, before they carried it to the Cage; and I plainly saw its Death was occasioned by the Bruise on the Head, for no Water appeared in it, and it was very fresh when I first saw it.

Elizabeth Thackery. When the Prisoner was taken, she was carry'd to the Sign of the Bell; I went thither and ask'd her, if she was the unfortunate poor Creature that had had a Child? Yes, (she said) and it was found drown'd. I enquired of her, who was the Father of it? She told me, — John Gadd was the Father, and that she was not marry'd to him, but she had lived with him in an odd Manner, a Year and a half, and had

had miscarried of a Child, by him, once before. She said, she was very poor, and was delivered of this Child as she was going over a Style: That it was born alive, and she heard it cry a little, but she had nothing to wrap it in, except a Bit of her old Apron, and she was so very ill, she did not know what to do with herself. She said, *John Gadd* was a very wicked Fellow, and she did not know but he might make away with it, tho' she just before had told me, ——— that she, herself, put it into the Water, and she did not say any thing was done to it, before she put it in. I saw the Bruise on the Side of the Head.

The Midwife. 'Tis not impossible that Bruise might be given it, by throwing it into the Water.

Prisoner. I went to *Richmond* to see for Work, and when I got there, I fell in Travel, and sat down for two Hours to ease my Pains. While I was there, the Beadle of *Richmond* came to me; I asked him for the Help of some good Women. He threatened me, and brought me cross the Water; then he called me Bitch, and bid me shift for myself. So I went to *Twickenham*, and there likewise I was refused Relief, and the Beadle of that Place, led me out of that Town, and left me in the Fields; where I was so bad, that I was almost dead, and did not know whether my Baby was dead or alive.

The Midwife. She did say something to me, about the Beadle of *Richmond* refusing her Help.

Samuel Goodwin. The Day the Coroner sat on the Child, the Prisoner told me, that no Person was with her when she was delivered, but this *John Gadd*, whom I have often seen with her, under my Haycocks. She likewise said, That a Quarter of an Hour after she had been delivered, *John Gadd* took her Apron from under her Head, and having tore a Piece off, he wrapped the Child in it, and went away, and she never had seen him since. Guilty, Death.

438. *John Dato*, otherwise *Dozzis*, was indicted for assaulting *William Ruffel*, on the King's Highway, in the Parish of *Chiswick*, putting him in Fear, and taking from him a Chest of Drawers, val. 3 s. seven Linnen Shifts, val. 35 s. two Silk Gowns, val. 20 s. ten Linnen Caps, val. 10 s. a Holland Apron, val. 4 s. three Cambrick Aprons, val. 50 s. one Cambrick ditto, laced, val. 40 s. a Velvet Hood, value 5 s. a Sattin Manteler, val. 5 s. four Fans, val. 4 s. a Pair of Silk Shoes, val. 5 s. a Pair of Leather ditto, val. 2 s. a Dimitty Petticoot, val. 3 s. a Flannel ditto, val. 2 s. two Necklaces, val. 2 s. 6 d. a Cambrick Handkerchief, val 12 d. two Pair of Holland Stock

Sleeves, val. 1 s. and many other Things, val. 41 s. 6 d. the Goods of *Sarah Atwater*, Spinster. And a Cloth Coat, val. 5 s. and a Linnen Shirt, val. 2 s. the Goods of *William Styles* July 5.

Sarah Atwater. All the Goods mentioned in the Indictment, I sent in a Chest of Drawers, by the *Reading Waggon*, for *London*. We charged the Prisoner, because he sold a yellow Silk Gown of mine, the very next Day.

William Atwater. I saw the Goods carry'd out of the House, by the Porter, belonging to the Waggon; his Name is *Richard Aldridge*. And *Mr. Ruffel* is the Owner of the Waggon.

William Ruffel. Mrs *Atwater's* Chest of Drawers was put into the Waggon the 4th of July, and it was taken out a little beyond *Turnham Green*. We came from *Reading* on the 4th of July, and the Waggon was robbed the 5th about one o'Clock in the Morning. I was then on Horseback. Three Men on Foot came up to me, and clapped each of them a Pistol to me, and cry'd, — d-mn you, stop the Waggon, or you are a dead Man, They asked me if I had any Fire-Arms, or any Guard in the Waggon? I told them, — no, I had not; and that there was only an old Man in it, who was going to *London*. The Prisoner I believe was the Man who stood Guard over me while the others robbed the Waggon. I had a little Knowledge of him, for he visited me one Night upon the Road, near the same Place, about One o'Clock, in *May* last, and robbed the Waggon then, with one Man in his Company. The Moon at that time shone pretty bright, and I could discern something of him, for we had then a pretty deal of Talk together; and by his Size, his Voice, and Manner of Speaking, I verily believe he is one of the Men that robb'd me now; but this last Time it was dark, and I can't say I discerned his Face, but I remembered his Size and Voice, and was in Hopes he would have let me gone on, as he had robbed me so lately; but I was mistaken, for he came up with two others, and presenting their Pistols at me, they bid me stop the Waggon; I bid them stop it themselves, — I would not, — but they made me do it, and then the Prisoner (I apprehend) stood over me, while the other two got up into the Waggon, to see what they could find. They were in the Waggon near a Quarter of an Hour, and threw out a Chest of Drawers, a Portmanteau, a Trunk; and a Great Coat, with a Shirt in one of the Pockets, which one of them who had been in the Waggon put on; but on my telling them it was my Coat, the Man who guarded

guarded me bid him give it me again. Then they took their Goods upon their Backs, and bid me go about my Business.

Richard Stiles. I was in the Waggon, on the 5th of July, when it was stopp'd near *Turnham-Green*. They asked *Russel*, (who was then driving the Waggon) whether any Body was in it, and whether he had any Fire-arms? He told them, no; and then a tall, brisk, active Man (such a Man as the Prisoner, by his Size and Voice) said to his two Companions,—d-mn you, get up into the Waggon. I am pretty sure the Prisoner is the Man. As soon as the two Men had got into the Waggon, they threw out a large Scale-beam, and a Horse's Harness; a Chest of Drawers, a Trunk, and a Portmanteau, which was wedged in between some Barrels of Beer. They came in at the Tail of the Waggon, and went out at the Head; but before they left it, one of them took my Coat which lay by me, with a Shirt in the Pocket, and put it on. I am *Russel's* Brother, and he being lame, I came up with him to help him. The Man (whom I take to be the Prisoner) talk'd to him about five Minutes. They were not long in doing what they were about.

Mary Elliot. I know the Prisoner. On the 5th of July, between the Hours of Nine and Twelve in the Forenoon, he brought me this Mantelet, and a Velvet Hood, to be pawn'd. This Gown I had of the Prisoner's Mother-in-Law, and upon these three Things I lent him 25s. These Goods in this Bundle (*producing another Parcel*) I had likewise from his Mother-in-Law; her Name is *Kitchen*. I cannot say I had any Discourse with him concerning the Things I had from her, but when they were both before Mr. *Deveil*, she said (in his Presence) she had the Things from him, and he did not deny it. She was taken up, and sent to *Newgate*, where she since died.

Henry Grubb, Pawnbroker. Here is an Apron and a Cap, which Mrs. *Kitchen*, the Prisoner's Mother-in-Law, brought to me on the 6th of July, and I lent her Money on them: Soon after I had taken them in, I saw them advertised, and gave Notice to the Prosecutor; upon which Mrs. *Kitchen* was taken up, and she confess'd she had the Goods of the Prisoner: Then we took him, and carry'd him and his Mother before Mr. *Deveil*, where she charged him with having given her these Things, and he owned he did so. We asked him about the rest of the Goods, but he said he did not know of any more than were produced.

Mrs. Atwater. This Cap and Apron are mine; 'tis a very particular Apron,—I work'd it with my own Hands.

Grubb. Mr. *Deveil* asked the Prisoner how he came by these Things, and he told him, his Friend gave them to him.

Hickman Young. I was at Mr. *Deveil's* when he granted a Warrant to apprehend the Prisoner. When we took him, he asked us what our Business was? We told him we had a Warrant for him, and when we had hand-cuffed him, we shew'd it to him: At first he deny'd every thing, and when he was before the Justice, he said he knew nothing of the Robbery; but when some of the Goods were produced, he owned his Mother had them from him. There was another Cap produced at that Time, which Mrs. *Kitchen* had sold to one Mrs. *Turner*.

Turner. This is the Cap: The Prisoner's Sister, *Elizabeth Kitchen*, brought it to me on a Friday Night, and told me the Prisoner's Wife was dead, and that he was selling off her Cloaths, any of which I might have very reasonable; I did not care to buy the Cap of her, so she brought her Mother and the Prisoner to my Room on Sunday Morning, and then I paid the Mother 7s. and 6 d. for it, and I saw her deliver the Money into the Prisoner's Hands at the Foot of my Bed.

Mrs. Atwater. This is my Cap.

Elizabeth Kitchen (the Prisoner's Sister). And I had it from the Prisoner.

John Becket, Constable. I have two Pair of Sleeves in my Custody: I was sent for on the 27th of July to Mr. *Grubb's*, where I found Mrs. *Kitchen*, and was charg'd with her. We afterwards search'd her House, and found these Sleeves which Mrs. *Atwater* own'd; Mrs. *Kitchen* said she had them from her Son, and he did not deny it.

Prisoner. I was sick when this Robbery was committed. Pray did I say I gave my Mother those Things?

Becket. Yes: These Things (*the Sleeves*) were found in his Mother's Drawers, and when we had them before Mr. *Deveil*, he would had the Mother to have made herself an Evidence. He asked her, before the Prisoner, where she had them, and she said,—her Son made her a Present of them.

Joseph Nicholene. I keep a publick House in *King street, St. Ann's*. The Prisoner came to lodge at my House on the 2d of June; he lodg'd there seven Weeks, and behaved well; I never catch'd any thing upon him. He lay abroad two
M m Nights

Nights in the Time; but I don't know when it was: He was sick when he first came, and had a Wound in the Face; but I don't know how it was caus'd: He had a Nurse with him a good while. I once ask'd him how his Face came to be hurt, and he told me, he had been quarrelling and fighting.

Bold. I nursed the Prisoner, but I know nothing of his Illness: I came the 2d of *June*, and was with him seven Weeks; I sat up with him four Nights, and then I used to go home; I did not stay with him every Night.

Prisoner. These Things were brought into Mr. *Nicholene's* House, and I gave them to my Mother to dispose of.

Bold. -I saw his Mother bring some Things into that House, but what they were, I can't tell. Guilty, Death.

439. *Jane Gainsley* was indicted for stealing three Pewter Plates, val. 1 s. 6 d. and a Copper Lid of a Sauce-pan, val. 6 d. the Goods of *Benjamin Walter*, *July 28.* Guilty, 10 d.

440. *John George* was indicted for stealing a Silver Clasp, val. 6 s. the Goods of *Isaac Dubois*; and a small Plate of Gold, val. 12 s. the Goods of *Frederick Deveer*, *July 26.* Guilty, 10 d.

441. *Sarah Davis* was indicted for stealing a Linnen Shirt, val. 2 s. 6 d. the Goods of *Edward Lomas.* Guilty, 10 d.

442. *Thomas Dunns* was indicted for stealing 3 lb. of Cochineal, val. 20 s. the Goods of *Sir John Barnard, Knt.* and *Robert Pain Barnard*, in their Warehouse, *Aug. 3.* Acquitted.

443. *Ann Curry* was indicted for stealing a flower'd Cotton Gown, val. 10 s. a white quilted Petticoat, val. 4 s. and a Twig Basket, val. 6 d. the Goods of *Ezekiel Waters*, *Aug. 19.* Guilty, 4 s. 10 d.

444. *Robert Butteriffe* was indicted for stealing a Pair of Silver Spurs, val. 18 s. 6 d. two Table-cloths, val. 3 s. a Man's Hat, val. 3 s. and three Quart Bottles filled with Shrub, val. 3 s. the Goods of *John Smith*, *Sept. 3.* Guilty, 10 d.

445. *Elizabeth Colebourn* was indicted for stealing one Brass Pound Weight, val. 6 d. and one Two Pound Brass Weight, val. 1 s. the Goods of *Samuel Spateman*, *Aug. 11.* Guilty, 10 d.

446. *Mary Witby* was indicted for stealing a Cambrick Handkerchief lac'd, val. 4 s. the Goods of *David Edwards*, *July 2.*

The Prosecutor not appearing, the Prisoner was Acquitted.

447. *William Fry* was indicted for stealing a wooden Cask filled with Small Beer, val. 2 s. 6 d. the Goods of *John Smith*, *Aug. 4.* Guilty.

448. * *William Jones*, otherwise *John Wright*, was indicted, for that he being an ill-disposed Person, after the 1st of *May 1734.* to wit, on the 30th of *July* last, in the Parish of *St. Dionis Backchurch*, with a certain offensive Weapon called a Knife, made of Iron and Steel, which he held in his Right Hand, in and upon *Miles Rigg*, unlawfully and feloniously did make an Assault, with an Intent the Money of the said *Rigg* to steal, &c. against the Form of the Statute, &c.

Mr. Rigg. On the 30th of *July*, between Eleven and Twelve at Night, I was going along *Fenchurch-street*, in Company with *Mr. West*, and the Prisoner met me at the Corner of *Lime street*, with a Crape over his Face; he offer'd a Cobler's Knife to my Breast, and order'd me to deliver my Money: I stood a little surpris'd, and he said again,—*Deliver*; then I up with my Stick, and gave him a Blow which made him reel, and called the Watch; upon which he took to his Heels, and ran up *Lime street*. The Watch pursu'd him, and we followed them, and took him (about twenty Yards from the Place where he stopp'd me) with the Knife in his Hand, and the Crape upon his Face, which he pull'd off, as soon as the Watchman laid hold of him.

Mr. West confirmed the former Evidence.

The Constable. I had charge given me of the Prisoner for assaulting *Mr. Rigg*. This Knife was taken from him, and this Crape. I searched him and found two or three Handkerchiefs of different Sorts in his Pocket. Guilty.

449. *Mary Curtis* was indicted for stealing four Linnen Shifts, val. 20 s. six Linnen Aprons, val. 12 s. a Dimittie Gown, val. 2 s. a Linnen Sheet, val. 3 s. and a Petticoat, val. 12 d. the Goods of *John Rustat, Gent.* *April 28.* Guilty, 4 s. 10 d.

450. *John*

* The Prisoner's Name is John Wright. In April 1737 he was tried for setting Fire to Mr. Rawlinson's House, and was acquitted on the Representation of his Friends that he was disorder'd in his Senses. See Sessions-Book for that Year, N^o IV. p. 94.

In July Sessions 1738 he was tried, and convicted, for writing an Incendiary Letter to Mr. Dolly in Holborn, but was afterwards pardoned on the same Account; his Friends having given Security for his good Behaviour.

450. John Warner was indicted for stealing a silver Spoon, val. 10 s. the Goods of Edward Illidge, Aug. 27. Guilty, 10 d.

451. Richard Seal was indicted for stealing eight Pair of Glass Necklaces, val. 18 d. the Goods of John Bradley, Aug. 8. Guilty, 10 d.

452. Priscilla Trilcourt, of St. Martin's in the Fields, was indicted for privately stealing a Silver Watch, and Silver Seal, val. 3 l. and a Piece of Copper, val. 1 d. from the Person of Arthur Selwin, Aug. 19.

Selwin. I lost my Watch and Seal, worth 3 l. with a King's Road Ticket (which hung to the Watch) on the 19th of August last. The Watch was in my Pock, and I lost it in Oxendon-street, about Twelve o'Clock at Night: I was in a private House there with the Prisoner; she carry'd me there about Twelve o'Clock, and there was another Woman in Company, but she was not near me. I did not stay long in the House,—'twas not above ten Minutes, or a Quarter of an Hour, and indeed I did not miss my Watch till next Morning. How I came to go to this private House with them, at that Time o'Night,—I can't tell.—They asked me to give them a Dram; and I was in Liquor. I miss'd my Watch next Morning; and hearing the Prisoner had it, I got a Warrant, and took her up: While we were carrying her along, she desired I would go back with her, and accordingly I did, and she return'd me the Watch, the Seal, and the King's Road Ticket; but she said it was not she who took it from me, she told me the other Woman took it, and gave it to her.

Prisoner. Pray did not the other Woman—sit upon your Knee?

Selwin. No, she did not; but the Prisoner did. I had both Gold and Silver in my Pocket at the same Time, to the Amount of 3 or 4 l. but they did not meddle with that.

Prisoner. When he and I went into this House, we went up Stairs together; and the other Woman was jealous, because he took more Notice of me, than he did of her, and so she went to him, and sat upon his Knee.

Ann Wilford. I have known the Prisoner about a Year and a half, or two Years. Her Character!—as to that,—I can't talk about that: But the Man did come in with the Women, and the Prisoner was one of them; I serv'd them with Liquor; they had five Half-pints of Wine, and after the last Half-pint was serv'd them, my Maid came down, and asked me, if I would take the Gentleman's Watch in Pawn for a Guinea? Money

was short with me, and I told her I would not. The Maid that serv'd them with Liquor, was not the other Person—who sat upon his Knee, and that's all I know of the Matter.

Esther Buckley. No, I was the Servant in the House,—at that Time. They had five Half-pints of Wine, and when the Reckoning came to be paid, the Gentleman gave me—but half a Crown, and a Piece of Paper, and told me he had no more Money; then he pull'd out his Watch, and desired me to go down to my Mistress and get a Guinea upon it: My Mistress would not lend the Money, so I carried it up to him again, and I saw him give it to the other Woman who was then with him—not to the Prisoner. Indeed he was very much in Liquor.

Ann Lucas. The Prosecutor lost his Watch on Sunday Night; and on Monday Night as I was out—looking for my Husband, the Prosecutor laid hold of me in Oxendon-street; I told him I did not know him really; come, come (says he) is signifies nothing for you to deny it,—You have got my Watch, and if you won't go with me, I will swear a Robbery against you; I ask'd him where he lost it? He told me,—at such a House. I went with him thither, and the People knew nothing of me. Upon this he treated me with a Pot of Beer, asked my Pardon,—and so we parted.

James Burnet. On Tuesday Night, after the Man had lost his Watch, I was drinking at the Butchers Arms, the Corner of Lombard-Court, and there I saw the Prisoner in Custody of a Constable. In a little time they went out, and came in again in half an Hour; and then the Gentleman told the Constable, he must discharge the Prisoner, for he had nothing to say against her: The Constable said, he could not do it, without carrying her before a Justice; no Justice was to be found, so the Constable would have carry'd her to the Round-house; but the Landlord said, the Prisoner was a Gentlewoman of—such Honour,—that she would to be sure come again in the Morning; so the Constable took her Word, and she accordingly came.

Ellen Dod. The Prisoner is a Mantua-maker; she work'd for me and my Mistress two Years: I know her to be a very hard-working Woman.

Martha Miller. She worked a Year and a half with me, and behaved well,

Thomas Kelly. I have known her five or six Years. She has worked for my Wife these two Years, and behaved true and honest.

Ellen

Ellen Dillon. I have known her four Year Her Husband and Mine are now at Sea together. She always behaved well. Acquitted.

453. *Elizabeth Cartwright* was indicted for stealing a Pair of Stays, val. 2 s. a Pair of Bodice, val. 8 s. and a Stomacher, value 2 d. the Goods of *Mary Kirkalder*, Aug. 10. Guilty, 10 d.

454. *Patrick Cummins* was indicted for privately stealing a Cambrick Apron, val. 7 s. from the Person of *Mary Walker*, Aug. 6. Guilty, 10 d.

455, 456. *John Waters* and *Mary Waters* were indicted for stealing a Pair of Sheets, val. 5 s. a Pair of Smoothing Irons, val. 1 s. 6 d. and a Sauce-pan, val. 18 d. the Goods of *John Lavars*, in their Lodging, April. 5. *John Waters*, Guilty, 10 d. *Mary* [being his Wife] Acquitted.

457. *Thomas Fowke*, of London, Labourer, was indicted, for that he on the 31st of August, in the 11th Year of the Reign of her late Majesty Queen Anne, at the Parish of *Albhallows in the Wall*, married *Sarah Parsley*, and her had to his Wife: And afterwards, viz. on the 10th of October, in the 9th Year of his Present Majesty, at the Parish of *St. Andrew Wardrobe*, feloniously married *Ann Fowke*, Widow; *Sarah*, his former Wife, being then in full Life.

The Council for the Prosecution having open'd the Charge and the Nature of the Offence, the Witnesses were called.

George Fisher. I am Clerk of *Albhallows London Wall*, and this is the Register Book of that Parish.

Counc. See if you find the Entry of *Fowke's* Marriage in 1712.

Fisher. Here it is. *Clerk reads.*

"Marriages. (The Title at the Top) *Thomas Fowke* and *Sarah Parsley*, Aug the 31st, 1712.

Counc. How long have you been Clerk?

Fisher. About five Years.

Counc. Is the Person living, who was Minister in 1712.

Fisher. No. The Minister, Clerk, and Sexton, are all dead: But this is the Book in which the Entries were then made; 'tis the Register Book of our Parish. I came in, on the Death of my Predecessor: His Name was *Samuel Wallington*, and he had been Clerk twenty-seven Years. The Minister keeps it in his Possession, and I fetched it from his House Yesterday.

Elizabeth Wilson. I know the Prisoner: He's my Son-in-Law, by marrying my Daughter-in-Law; her Name was *Sarah Parsley*. I have known the Prisoner, — but twenty-seven Years the 1st Day of last August.

Counc. Was you at the Wedding?

Wilson. No; I staid at Home to dress the Wedding Dinner: But a Kinswoman of my Husband's, was at the Wedding, and one *John North* gave her away. They all went out together, and at Night I bedded them. I remember it all very well. Why they lived together in my House a Fortnight, before they took a House for themselves. The Prisoner had two Children by her: They are both now alive, and the eldest is in her 26th Year; that was a Daughter, and the Son is, — (stay, I would not tell a Lye) the Son is in his 25th Year. They lived together a great while in *Bishopsgate* Parish.

Counc. Is *Sarah Parsley* living or dead.

Wilson. She died three Quarters of a Year after he marry'd this second Wife. The Books are here to shew it.

Counc. When did she die?

Wilson. She has been dead about three Years, I believe. I cannot remember the Year, — I would not tell a Lie, if you'd give me all the World.

Counc. After they had taken a House for themselves, how long did they live together?

Wilson. About six Years; and he all the time acknowledged her for his Wife.

Counc. You say you remember their going out to be married on the 31st of August.

Wilson. Yes, very well: It was on a Sunday Morning, twenty-seven Years ago. I might very well remember it, for I was married to her Father five Years before, at the same Church, by Dr. *Richardson*.

Counc. You say they lived together five or six Years afterward.

Wilson. Between six and seven they lived together, and then *Tom. Fowke* (the Prisoner) left her, and she was forced to go to the Parish where he served his time, for Relief of her and her two Children. When she was sick, I saw her, and she died with Grief.

Counc. When was the last Time you saw her alive?

Wilson. I believe it was two Years before she died, less than two Years, but I heard from her within that time. 'Tis now about 5 Years since I saw her, — within five Years, I am sure of it, — but I am old and don't remember particular Days. He cohabited with her sometime after the Marriage at my House, and they lived together six or seven Years. I dressed the Wedding Dinner, tho'

tho' I did not go to the Wedding. We were not young Folks, nor so flashy as to want to go to Weddings.

Counc. You say he lived with her six or seven Years?

Wilson. Yes: And after that he left her, and liv'd upon the *Strole*, and lov'd to gad about, as Men do too much that have the Breeches, and she was forced to put herself and Children on the Parish, while he lived where he pleased, as most Men like to do.

Robert Crane. I know the Prisoner; I knew his Wife, *Sarah Parsley*, before she was marry'd to him: And I knew her after she was marry'd, six or seven Years. I saw her alive, the 24th of April, 1736, at the House of one *Raddish*, at the Sign of *Hackney Town*, in *Bishopsgate street*. She had lived there about fourteen or fifteen Years. I am sure she was alive then, for I drank a Pint of Ale there, and saw her, but when she died I can't tell.

Counc. Was you at the Wedding?

Crane. No; but I remember their living together after they were marry'd, and he and I worked together after that. *John North*, who gave her away, is my First-Cousen, and I was a Relation of *Sarah Parsley's*, at a vast Distance. After the Prisoner left her, she made her Application to this *Raddish*, who was Clerk to a Brewer, and kept an Alehouse, and he took her to be his Housekeeper. I am positive I saw her on the 24th of April 1736, because I was then at work, at *Joiners Hall*, and having 15c.wt. and one Quarter of Lead to carry, I went there to hasten the Carman, and this appears by my Books.

James Stanley. I am Clerk of *Butolph Bishopsgate*, this is the Register-book of that Parish.

Counc. See for the Burials in September 1736.

Stanley. Here is the Entry of *Sarah Fowke's* Burial.

Clerk reads. "Burials; September 1736, *Sarah Fowke*, the 9th. Aged 47."

Ann Fowke. I know the Prisoner to my Sorrow. I was married to him the 10th of October 1735. We were married at *St. Andrews Wardrobe*, and *Mr. Wright*, the Coroner, gave me away. He was the Father, and persuaded me to have him. I knew the Prisoner about three Years before I was married to him, but not for any Harm. I was a Widdow, and of the same Name with the Prisoner, but not related to him.

Prisoner. Did not you know me longer than three Years? Did not you know me seven or eight Years before Marriage?

Mrs. Fowke. I can't justly say: He lived in the Neighbourhood, but I believe not seven or eight Years.

Prisoner. How long did you live with me before Marriage?

Mrs. Fowke. Not at all. I did not live with you in any Dishonesty.

Prisoner. She was my Housekeeper, in *St. Margaret's, Westminster*, three Years.

Mrs. Fowke. He never was able to keep a Table in his Life.

John Hinton. I am Register-Clerk of *St. Andrew Wardrobe*, and this is the Register-Book of Marriages.

Clerk reads. "Married in *St. Andrew's Ward-*

robe and *St. Ann's Black Fryars, Anno Do-*

mini 1735, October 10th, *Thomas Fowke,*

"Widower, of *St. Margaret's Westminster,*

"and *Ann Fowke, Widow, of the same*

Place: By William Grainger."

I was present at this Marriage, but 'tis impossible for me to remember Faces. I have often seen the Woman, because I have been called upon other Trials.

Robert Wright, and *Jane Wright*, were called out, to give Evidence for the King against *Thomas Fowke*; but they did not appear.

The Council for the Prisoner, as a Point of Law, took Notice of the long Separation there had been between the Prisoner and his first Wife. That it might be presumed, after so long an Absence, he might not know she was living; and that there was a Proviso in the Statute, which restrained it from extending to any Person whose Husband or Wife should continually remain for the Space of Seven Years beyond the Seas; or whose Husband or Wife should absent himself or herself for Seven Years, within any Part of his Majesty's Dominions, the one from the other; and the Party so left, not knowing the other to be alive: And as there had been no Proof given of the Defendant's knowing his first Wife was alive, they hoped he was not within the Statute.

Prisoner. As to her Separation, there's *Raddish* to call; I don't know his Christian Name: but he's the Person she lived with.

Raddish appeared; but the Prisoner would not have him sworn for him: Upon which he was called by the Council for the Prosecution, and sworn.

John Raddish. I knew *Sarah Parsley*: she lived with me sixteen or seventeen Years, or upwards. She died the 6th of September 1736, and was, (I think) buried on the 9th.

N n Council.

Council. Do you know the Prisoner?

Raddish. No; but I have seen him at my House several times before the Death of the Woman, and he has seen her often at my House.

Council. Have you seen him at your House, within nine or ten Years last past?

Raddish. I have seen him who they said was her Husband; but I never spake three Words to him in my Life; — I don't know him; I never saw him to take Notice of him; but I have seen him, and when he has been gone, People have told me, That Man was *Sarah Parsley's* Husband. — He has been often at our House.

The Witnesses being old, and his Sight weak, he was ordered to go to the Bar, and look at the Prisoner.

Council. Now you have seen him, do you know him? Have you ever seen him before?

Raddish. Yes: I reckon he is the Man; I have seen him at my House; but I cannot justly tell how long before her Death: I believe it might be a Year. This was the last Time I saw him, and before he went out of the House, I sat down by him, and when he was gone, the People told me he was *Sarah Parsley's* Husband.

Counc. Did he then see *Sarah Parsley*?

Raddish. I don't know whether she was dead or alive then.

Counc. Just now you said it was before her Death.

Raddish. I can't well tell when it was.

Counc. At the time this Man was in your House, did she come into the Room to you?

Raddish. She did not then; there was only he and I in the Room: I don't know where she was at that time: She commonly went out of the House when he came in, and staid till he was gone.

Counc. Did he ever come but that Time?

Raddish. As they told me, he had been there a great many times; but I never saw him to know him but that time: and then I sat down with him, and talk'd with him, about its being fine Weather — a fine Season; but I was not with him Half a Quarter of an Hour. When he went out, the Neighbours asked me if I knew who that Man was? I said no; they told me it was *Sarah Fowkes's* Husband: And I am sure she was then alive.

Counc. And how long is this ago?

Raddish. About four or five Years ago. The Prisoner is the Man; I believe he is the Man.

Mr. Crane. About ten Years ago, the Prisoner and I went into *Raddish's* House, and had a Pot

of Beer; but I did not see his Wife. He reported that she lived with *Raddish*, and was his Whore; this was about eight or nine Years ago; he often said, she was a Whore and a Bitch, and lived with old *Raddish*, and tuck'd him up, and lay with him. This he often said, between eight and nine Years ago. I am positive it was within nine Years, and that within that Time I have asked him, When he saw his Wife? And he has said, — D-mn her, I have not seen her, — so long. We often talked about her; I have had some Conversation with him since that Time; but his Wife was not mentioned, except once, and that was about three Months ago; I then saw him in the *Tiptaft's* House, and ask'd him, how he could be so base, to marry another Woman, when his first Wife was alive? D-mn it, (said he) what's that to you?

Counc. How long ago is it since you had any Conversation with him about his Wife, in her Life Time?

Crane. I can't be positive to half a Year. 'Tis nine Year ago, or thereabout.

Counc. Are you sure it was within ten Years, or eleven Years?

Crane. No.

Council to Raddish. Did not she die at your House?

Raddish. Yes.

William Merriman. I knew *Sarah Fowke*: She lived next Door to me. She died in September, and I buried her the 9th, 1736. I know nothing of the Prisoner.

The Jury found the Prisoner Guilty.

458. *Elizabeth Bowmaster* was indicted for stealing four Pewter Plates, val. 4 s. and several other Things, the Goods of *William Gordon*, August 5. Guilty.

459, 460. *John Edwards* and *Thomas Butler*, were indicted for stealing three Linnen Shirts, val. 3 s. the Goods of *Jonathan Hodgson*, Aug. 29. Both Guilty, 10 d.

461. *William Dean* was indicted for stealing three Pieces of Upper Leather for Shoes, val. 2 s. and a Wooden Last, val. 6 d. the Goods of *Leopold Schutte*, Aug. 11. And

462. *John Coates* was indicted for receiving the three Pieces of Leather, knowing them to be stole, Aug. 11. Both Guilty.

463. *William Clotop* was indicted for stealing three Pewter Plates, val. 1 s. the Goods of *Randall Edwards*; and a Linnen Apron, val. 6 d. the Goods of *William Picket*, July 30. Guilty, 10 d.

464. *Mary*

464. *Mary Candy* was indicted for stealing a Copper Tea-Kettle, val. 2 s. a Copper Lamp, val. 1 s. and other Things, the Goods of *Ambrise Clark*, Aug. 25. Guilty 10 d.

465. *Elizabeth Goldsmith* was indicted for stealing a Pewter Wine-quart Pot, val. 2 s. the Goods of *Abram Franshaw*, Aug. 23. Guilty, 10 d.

466. *Jarib Watts*, of St. George's Hanover-Square, Schoolmaster, was indicted for assaulting *Judith*, the Wife of *William Redman*, and giving her a mortal Bruise on the Left Side of the Head, by striking, beating, casting her to the Ground, and breaking her Jaw-Bone; of which mortal Bruise, and breaking her Jaw Bone, she instantly died, Aug. 20.

William Pemberton. I keep a Publick House, the *Coach and Horses* in *Corduit-street*. On the 20th of *August*, about Three o'Clock in the Afternoon, I lay down on a Bed in a Closet behind the Room where the Accident happened. About Six, some Carpenters, who were at Work in the Yard, making a Noise, I wak'd, and heard the Word—*Bitch*, in the little Room. 'Twas a small Drinking-Room on the Ground-Floor, and parted off from the Room where I lay by a Single-deal Partition, pannell'd. I imagin'd somebody was abusing my Wife, so I got up; and as I was coming through this little Room, I saw the Prisoner with his Left Arm round the Deceased's Neck, and his Right Hand somewhere on her Breast. Lord, Sir, said I, what's the Matter! His Answer was,

—The Gentlewoman is in a Fit! In a Fit, said I! I am afraid 'tis something worse; how came her Mouth to be so bloody? For the Blood ran from her Mouth down her Stays and her Apron, and she was sitting in a Chair, with her Head lolling back over his Arm: I called three times for Water, and the fourth time it was brought: I sprinkled some in her Face, and endeavoured to make her drink some; but she was gone. While I was doing this, the Prisoner escaped out of the Room, and left some new Linnen behind him, and a little Child of the Deceased followed him, crying. Some small Time after this, another Child of the Deceased came to our House, and said, Lord, Sir! I hear my Mother is killed, pray let me see her. I told him his Mother was better, and asked him where his Mother used to buy Linnen? He told me—at the Corner of *Carnaby Market*. I took the Child and the Linnen to the Place, and the Man knew it, and said it was bought of him about Four o'Clock that Evening. The Boy then told us the Prisoner's Name was *Watts*, and

that he used to meet his Mother at one *Carter's*, the *Red Cross* in *May-Fair*. We went thither, and *Carter* said the Prisoner had not been there for three or four Days; he believed we might find him at *Kensington*, where he was Usher in a School. At *Kensington* we enquired after him a good while to no Purpose; but at last, one who was with us having some Acquaintance with *Carter's* Son, (who was Coachman to *Madam Jacob* at *Kensington*) he put us upon going to the Stables where the Coachman lay. When we came there, we ask'd if Mr. *Watts* was not there? and, to prevent Suspicion, I sham'd drunk, and said, I would drink no more. *Carter's* Son spoke to us out of a Window, and asked us what we wanted with him? We told him we wanted to speak with him: Upon which he [*Carter*] came down and open'd the Door: Then we got in, and upon searching the Hay-loft, I observed some Straw to stand up against the Wall; I put it aside with my Stick, and found the Prisoner behind it. We searched him, and found nothing upon him but his Penknife. His Ruffles and his Right Hand were bloody, and he had the same Shirt on when we carry'd him before the Justice.

Prisoner's Q. Was the Door of the Room in which you was asleep lock'd, or unlock'd?

Pemberton. There is a Lock to it; but whether it was lock'd or no, I can't tell. 'Twas not lock'd when I came out.

Prisoner. Is there not a Window in the Room where this happen'd, which looks into the Yard where the Carpenters were at Work?

Pemberton. Yes; and there is a Glass Door, with a Curtain before it, which looks into the Common Drinking Room.

Prisoner. Did not I call for Water, and desire Assistance?

Pemberton. Not, as I remember.

Prisoner. Was not you in Liquor at that Time?

Pemberton. I was as sober then, as I am now.

Lochlan MacLaughlan deposed, that he was going by the Door about Six that Evening, and hearing a Woman was dying in the House, he went in, and found her sitting in a Chair: Mr. *Pemberton* was washing the Blood from her Mouth. Her Pulse was gone: But she being warm, he open'd a Vein, and she bled about a Spoonful or two. He said there was the Mark of a Blow, or Fall, upon her Left Jaw; that she had bled much at her Mouth, and that he saw no other Marks of Violence upon her.

William

William Graves gave an Account, that he was sitting that Evening at *Pemberton's* Door, and the Prisoner came out of the House and asked him to direct him to *Mr. Despagnol's* House, the Surgeon; which he did; and the Prisoner ran down the Street, towards the House. That immediately afterward, he heard a Woman was dead in the House; upon which he went in, and found her sitting in a Chair, bleeding at the Mouth, and her Head lolling on one Side. That he thought proper to wipe the blood out of her Mouth, and finding her dead, he went to *Mr. Despagnol's*, to enquire if any body had been to fetch him to a Woman at this House, and was informed, that no one had been there for above an Hour past, upon which he told them, the Woman had not been dead above half an Hour. He added, That he saw the Prisoner the Day after he was taken, and was positive he was the Man that he directed to *Mr. Despagnol's*. That he had sat at the Door about half an Hour, before the Prisoner came out; that the Place where he sat, was about the Breadth of the Court from the Room in which the Woman died, and that the Prisoner came out at the Back-door.

John Jones deposed, That the Prisoner came to him last Monday was a Fortnight, and told him, that he had appointed *Mrs. Redman* to meet him at *The Coach and Horses* about buying some Cloth; that he went to her there, and Words arising about the Liquor, and the Price for making the Shirts, she told him she would sooner go a-digging, than work for such a Scrub-dog as he. That he told her he was no more a Dog, than she was a Bitch; upon which she told him, she would split his Brains out, and snatching up an Apple, in throwing it at him, she fell down. That upon lifting her up, she bled at the Mouth, and the Landlord coming in, while he was wiping off the blood, he called for Water, and desired him three Times to get a Surgeon, which the Landlord not doing, he went to *Mr. Despagnol's* himself; but he not being at home, nor any Surgeon to be found, at two or three other Places where he went for one, he returned to *Pemberton's* Door, and hearing the Woman was dead, he was struck with such a Terror, that he could not go in, but came directly to this Witness, and gave him this Account, desiring his Advice, what to do. The Witness said, he advised him to keep out of the Way 'till the Sessions began, and then to surrender himself and take his Trial. He gave the Prisoner the Character of a very quiet, peaceable Man, and not at all given to Quarrelling.

Thomas Carter deposed, That the Prisoner came to him that Night, about Seven in the Evening, and told him much the same Story; that he advised the Prisoner to surrender, but he being unwilling to do so, because he had no Money to keep him in Goal, the Witness consented to let him stay with him, and *John Jones* was to bring him Word next Morning, whether the Woman was dead or not. This Witness confirmed the Account given by *Mr. Pemberton*, of the Prisoner's being taken behind the Straw in the Hay-loft.

Richard Twist deposed, That he was a Carpenter, and had some Men at Work in *Pemberton's* Yard when this Accident happened. That at Six o'Clock that Evening he was drinking with two or three Friends in the publick Room, which is parted from that, in which the Prisoner and the Deceased then were, but by a slight Partition. That he heard no Noise, 'till *Pemberton* came to the Door and called for Water; and about six Minutes after this, he went into the Room, and found the Deceased and the Prisoner in the Condition and Situation related by the former Witnesses, and *Mr. Pemberton* was endeavouring to give her some Water. That she had lost all Motion, when he came into the Room, and the Prisoner told him she had fell down against a Chair, and had hurt herself; that upon his saying she was dead, the Prisoner then went for a Surgeon, and did not attempt to go before. This Witness gave an Account of her Child's coming to enquire for his Mother, by which Means they came to the Knowledge of the Prisoner, and he believed if there had been any extraordinary Noise made he should have heard it, — but he heard none.

Peter Maccullogh, the Surgeon, deposed, That he viewed the Body of the deceased two Days after her Death. That it was then so corrupted, he could not perceive any Marks of Violence upon it, only that the lower Jaw-bone was broke, and upon opening the Head and Breast, he found a great Quantity of extravasated Blood in the Cavities of the Brain and Stomach, which might be occasioned (he thought) by a violent Blow, or a sudden Fall, which shook the Brain, and made the Blood Vessels start.

The Prisoner's Examination before *Sir Edward Hill*, was produced, and (being proved) was read. It contain'd the Account the Prisoner gave to *Sir Edward*, of the Accident, and was agreeable to that given by the Prisoner to the former Witnesses.

Samuel

Samuel Brown, a Chairman, depos'd, That the Prisoner enquired of him in *Bond-street* for any Surgeon; he directed him to *Mr. Ranby*, but did not see whether he went to the House or not. And *William Allen* his Partner confirm'd his Evidence.

James Gulliford, a Carpenter, was at Work in the Yard; and something after Six he came into the House to put up his Tools, and he heard no Noise nor Disturbance while he was in or about the House.

Mrs. Cox (Wife of the Gentleman at *Kensington* to whom the Prisoner was Usher) *Mr. Wiseman Holt*, (a Clergyman) *John Kelly*, *Thomas Woodward*, and *Edward Bland*, gave the Prisoner the Character of an honest, good-natur'd, grave, peaceable Man. Acquitted.

467. *William Davis* was indicted for privately stealing a Muslin Handkerchief, val. 12 d. from the Person of *Joshua Murphey*, Aug. 12. Guilty, 10 d.

468. *Catherine Floyd*, alias *Huggins*, was indicted for stealing a Pair of Mens black Silk Stockings, val. 7 s. and a Pair of Womens white Cotten ditto, val. 4 s. the Goods of *Sarah Hatt*, in her Shop, Aug. 18. Guilty, 10 d.

469. *Elizabeth Allen* was indicted for privately stealing a Silver Watch, val. 50 s. from the Person of *Richard Summer*, July 29.

Richard Summer. On the 29th of July I met the Prisoner in *Well Court*, between *Charterhouse-Lane* and *Long-Lane*, and she ask'd me to make her drink; so she pick't me up, and carry'd me to a House, and we went up Stairs: I staid an Hour with her, drinking Gin, and when I came down Stairs, I found she had pick'd my Pocket of my Watch. She was a Stranger to me, but yet I would go and drink with her, and I had my Watch when I went into the House with her, for I look'd to see what it was a Clock, when I was about 3 or 400 Yards from the Door. While we were above Stairs together, we only sat talking together,—she on one Chair, and I on another, and after we had talk'd and drank together, we came down Stairs, and in the Entry she pick'd the Watch out of my Fob;—'twas not in the Room,—'twas in the Entry, and I felt her Hand in the Pocket when she took it out: As soon as she had pull'd it away from me, she ran into another House: I did not cry, Stop Thief, but I ran after her, and could not overtake her before she got into the House; and when I enquired for her at that House, the People told me there was no such Woman there. About 10 Days afterward

I took her, and she was carry'd before the Lord Mayor, who committed her to *Newgate*; when she was before him, she deny'd the Fact.

Prisoner. He says he was in a Room with me, up one Pair of Stairs,—'tis a Ground-room of mine, where I have liv'd these two Years: He was above Stairs indeed, in a Room next Door to me, where there is only two Stools, and a Chair. He put another Woman in the Warrant with me, and he keeps her out of the way, and prosecutes me, because my Name's *Allen*, and I threw a Pot of Water in his Face.

Esther Rawlins. The Day the Prisoner was carried to my Lord Mayor's, they had no hearing, so they went to *Guild-hall* to have a Hearing there, and they call'd in at an Alehouse by *Guild-hall*: One *Moll Gunn* was with us, who had (caused) this *Bess Allen* (to be) taken up; and *Moll Gunn* said to the Prosecutor,—if he did not swear directly that this *Bess Allen* had the Watch, *Bess* would do her a Mischief; upon which he said he would swear it downright, because she should not hurt her. In the next Place there is *Bess Rawnes*, who says this Gentleman was robb'd in her Entry, by *Betty Allen*, — by the same Token he said he would swear downright to her.

Prisoner. He promised to fetch *Moll Gunn*'s Gown out of Pawn; he treated her with a Dinner every Day at the *Cat Alehouse* in *Charterhouse-Lane*, to keep out of the Way.

Summer. This Woman (*Rawlins*) was the very Person that impeach'd the Prisoner.

Rawlins. The last Time the Prosecutor gave *Gunn* a Dinner, she was angry that I came to take a Bit with them, and he would not let me.

Summer. I did not hinder you.

Rawlins. She (*Moll Gunn*) said she could do his Business for him, in swearing against this Woman, and now she's run away.

Summer. This Woman came after me to the *Cat*, and said she could swear it upon her; she was the Person who pawn'd the Watch. Acquitted.

470. *Catherine Goodyere* was indicted for stealing five Portugal Pieces of Gold, val. 36 s. each, two Moydores, a Guinea and a Half-Guinea, the Property of *Richard Summer*, in the Dwelling-house of *Richard Goodyere*, July 29.

Richard Summer. On the 29th of July, as I was coming along the *Devil's-Nook*,—'tis an Alley in *Long-Lane*, I met with *Richard Goodyere*, so he and I went to drink together at the *Green Dragon* in *Long-Lane*: I had a Horse to dispose of, and he was to help me to a Chap who was to buy him,

O o

but

but they wanted me to take their Note for the Money. After we had talked a while about the Horse, they told me they could help me to the Watch I had lost*, and if I would give him a Guinea, they would get it directly: Upon this Account I went to *Goodyere's* House, between Seven and Eight o'Clock in the Evening, and there was the Prisoner and two other Women. We fell to drinking Gin, and after we had drank a while, *Richard Goodyere* began be quarrellsome, and said he believed I had not Money to pay the Reckoning; I pull'd out my Bag, to shew them that I had Money, and the Prisoner snatch'd it out of my Hand, and *Richard* flung me down, and I fell with my Head against a Chair, the Blow stunn'd me for some Time, and I got up as soon as I could,—but every Soul of them were ran away, there was no one left in the House but myself: They all ran over into the *Marshalsea*, where they had a Friend who took them in, and it was a Week before I could take them; there were three of them concerned, but I took only the two *Goodyeres*, and carry'd them before the Lord Mayor, where she said nothing at all, and he confess'd he had my Gold.

Prisoner. Ask him if he has not been robb'd since?

A Gentleman. He has been simple enough to be robb'd of 70 l. since this.

Prisoner. *Richard Goodyere* was my Husband: He died in Goal, on this Account. Here's my Certificate.

Summer. They were a-bed together when they were taken, and I believe they said they were Man and Wife before the Lord Mayor.

Joseph Seares. I received this Certificate from the Prisoner, as a Proof of her being marry'd.

The Certificate was read.

" These are to certify, that *Richard Goodyere*,
 " Brewer's Servant, of *St. Sepulchre's*, Batche-
 " lor, and *Catherine Watkins*, Widow, were
 " marry'd in *St. Sepulchre's* Parish, in *London*,
 " the 30th of *July* 1739, according to the
 " Rites and Ceremonies of the Church of
 " *England*, as appears by the Register in the
 " Custody of

" *W. WIAT, Minister.*"

Summer. But I am sure I was robb'd the 29th of *July*. She took the Money out of my Hand the 29th, and I charge her only, with taking it in

the Warrant: I am positive she is the Woman. I saw her (I believe) once before, in *Smithfield*; she is a remarkable Woman, and is a little hump-back'd.

Prisoner. Ask him if he did not ask my Husband to give him some of the Money again, and if he did not tell him he had none of it?

Summer. I did ask him to give me some of it again, before he was committed; I should have been glad to have got some of it again. Guilty, 39 s.

471. *Richard Coe* was indicted for assaulting *Richard Price*, in the Dwelling-house of *George Thorn*, kicking him down on a boarded Floor, and giving him, with both his Hands and Feet, several mortal Bruises on the Head, Breast, Belly, Back, Sides and Groin, of which he languished from the 20th to the 23d of *August*, and then died.

He was a 2d Time charged, by vertue of the Coroner's Inquest, for feloniously slaying the said *Price*.

It appear'd from the Evidence, that *Thorn* kept a Chandler's Shop, and the Deceased meeting with the Prisoner there, the Deceased call'd the Prisoner Black-guard Rogue and Rascal, and told him he was a Bailiff's Follower, and they were worse than Dogs; that the Prisoner call'd him Blockhead, and bid him be quiet, but the Deceased (being a little in Liquor) went up to him, threw his Hat in the Prisoner's Face, and tore his Coat; upon which the Prisoner, as he sat upon a little Table, gave the Deceased a little Kick on the Backside, and bid him be gone; but he (the Deceased) turn'd, and gave the Prisoner a Blow in the Face, and then they laid hold of each other, and fell to the Ground together. The Prisoner got up, and the Deceased told him,—he would do for him. The Witnesses gave no farther Account of Blows, or Kicks, only that the Prisoner complain'd of the Deceased's having pull'd him twice by the Nose, and the Deceased told him it was no more than he deserv'd.

Other Witnesses deposed, That the Deceased being in Extremity in *Thorn's* House after the Fray, they would have had him blooded, but *Mrs. Thorn* declared, she'd have none of his nasty Blood there; upon which he was carried Home, and declared to his Death, that the Prisoner had murdered him, and that when he lay upon the Ground, *Mr. Thorn* and one *Meredith* (a lame Man) and the Prisoner,

* See the preceding Trial of Elizabeth Allen.

Prisoner, each of them gave him a Kick. Mr. Wood (a Surgeon) who attended him 'till he died, gave the same Account of the Deceased's Declarations: And having opened his Body after his Death, he found the Guts swelled, a Quart (or more) of Water and Blood in the Cavity of the Belly, an Ounce of Blood in the Cavity of the Stomach, and his Bladder burst at the Bottom, but no outward Marks of Violence.

The Jury Acquitted the Prisoner of the Murder, and found he killed the Deceased in his own Defence.

472. Thomas Fowley was indicted for stealing two Wooden Casks, together with thirty-six Gallons of Yeast, value 30s. the Goods of *Charles Wightman*, in his Warehouse, July 14. Guilty, 4s. 10d.

473. Christopher Dakley was indicted for stealing a Man's Hat, a Brass Cover for a Pot, a Pewter Cullender, the Goods of *Daniel Bartran*; And a Green Duffel Waistcoat, and four Pair of Cloggs, the Goods of *William Merriman*, July 18. Guilty.

474. William Loyd was indicted for breaking and entering the Dwelling-House of *Richard Ellis*, about Twelve at Night, and stealing a Stuff-Gown, val. 6d. Aug. 27. Guilty, Felony only.

475. Margaret Bell was indicted for stealing a Cloth Coat, a Waistcoat, and a Pair of Stockings, the Goods of *John Pedley*, Aug. 28. Guilty 10d.

476. Robert Haxe was indicted for stealing an Iron Chain, val. 14d. the Goods of *Jacob Harvey*, Esq; Aug. 27. Guilty, 10d.

477. Jane Bailly was indicted for stealing a great Number of Printed Books, the Goods of *Peter Loundes*, Aug. 21. Guilty 10d.

478. Marina Price was indicted for stealing two Holland Shirts with Cambrick Sleeves, value 30s. and a great Quantity of other Linnen, val. 3l. 4s. the Goods of *Isaac Mumford*, in his Dwelling House, July 29. Guilty, 39s.

479. William Peirce was indicted for stealing 100 wt. of Lead, val. 8s. fixed to the House of *William Robinson*, Sept. 1. Acquitted.

480. Ann Roberts, alias *Matthews*, was indicted for stealing a Pair of Sheets, a Pillow, and a Pewter Plate. the Goods of *Ann Disney*, Aug. 9. Acquitted.

481. Alice Cawkin was indicted for stealing a Stay, a Frock, a Cap, and a Pair of Stockings, the Goods of *Susan Holford*, Aug. 22. Guilty.

482, 483. Robert Coggleshead, and James Steward were indicted for stealing two Ells of

Linnen, three Mobbs, and Two Shilling, and Two Pence, in Money, the Property of *Grace Coulthurst*, July 25. Both Acquitted.

484. Elizabeth Turner was indicted for privately stealing a Silver Watch, val. 5 l. from the Person of *John Woodall*, Aug. 19.

Woodall I am a Pipe-borer to the New River Company. I was coming home from Work about Ten o'Clock at Night, on the 19th of August, and the Prisoner asked me to give her a Pint of Beer; I told her I would spend my three Halfpence with her, and she carried me to a private House, a Gin-house in *Love-Court*, in *George-Alley*, between *Shoe-Lane* and the *New Market*. We had two Quarterns of Gin, and I staid with her about Half an Hour. I had my Watch at a Quarter past Ten, and miss'd it before she went down Stairs. We had been pretty near together, and I felt her pluck something out of my Pocket, but I could not tell what it was: As soon as I miss'd it, I ran down Stairs after the Prisoner, and met a Woman upon the Stairs, and she blew the Candle out, to prevent my following her; but I pursu'd her, and found her out; and took her last Friday, but she would confess nothing, and I have never seen my Watch since.

Prisoner. Ask him if he did not promise to give me a Shilling?

Woodall. No: I promis'd her nothing, but she made bold to pay herself well,—for she got my Watch, and that's the Truth.

Prisoner. Ask him if there was not another Woman in Company with us.

Woodall. There was another Woman who brought the Liquor, but she only staid to drink two Glasses of Gin.

Ann Coome. When this Woman was put in the Compter, I happen'd to be there myself, and I ask'd her, what she was brought in for? She told me, — for picking a *Cull's* Pocket of a *Loge*, (a Watch) three Weeks ago, which I have sold for —Money, said she.

Prisoner. This Woman is a nasty drunken Creature, and knows nothing of the Matter: 'Twas the other Woman that was in the Room with us, who took the Watch. The Man shook Hands with me when I left him, and he bid me Good-night. Guilty, 10d.

485. Elizabeth Dummery, of *Kensington*, was indicted for privately stealing a Silver Watch, val. 3 l. from the Person of *Benjamin Clark*, July 24.

Benjamin Clark. She stole my Watch the 24th of July in *Kensington* Parish, about Ten at Night.

I was

I was in Company with her in *Sheffield house*, — an uninhabited House. I was coming along, and saw 'Squire Poyntz's Servant with her, but he ran away and left her; so she and I went to this uninhabited Place together. I am sure I had it when I first went thither, for I pull'd it out to tell the Fellow that ran from her what it was a Clock; but then this uninhabited Place is a Quarter of a Mile from the Place where I pull'd it out. We staid in this uninhabited Place together till Four o'Clock in the Morning; I mis'd it indeed half an Hour after I got there; and I told her I had lost it, but she knew nothing of the Matter. At last I heard it click in her Bosom, and then I struck her, and she cry'd out Murder; yet still she deny'd it, and so the Prisoner and I came together about Four o'Clock into the Town, and meeting with an Hostler that formerly belong'd to the Duke of Ormond, I told him of my Loss, and we all three went back to this uninhabited Place to look for my Watch, but 'twas not to be found; we hunted about in the Stable, (where we had been together) but we could not find it. She deny'd it all this time, and while I was talking to the Hostler, she ran away; but she was taken on Sunday Night following, and I went to her at a publick House at *Kensington*; there I heard the Watch was pawn'd at the *Three Bowls*, in *Old Soho*, and at that Place I found it. When I came out of the Justice's House with her, I asked her—how she could be so cross, as not to give me my Watch? And she told me, she would have given it me, if I had not beat her,

Mary Sharping. I live at Mr. *Fellicot's*, in the House with on Mr. *Geary* a Grenadier; he told me, That one Mr. *Morris* had a Watch to pawn, and desired me to go with it. This is the Watch; I took particular Notice of it when I pawned it.

Edward Cartwright. This is the Watch I found at the Pawnbroker's, with a search Warrant.

Prisoner. Benjamin Clark came to me to enquire if I knew the Girl that had his Watch: He said I was not the Person that took it from him. The Boy told his Father he lost it behind the *Hammer-Smith Stage-Coach*. Acquitted.

486. *Barbara Alcom* was indicted for stealing a Pair of Linnen Sheets, the Goods of *Edward Salmon*, in his Lodging, July 27.

The Prosecutor not appearing the Prisoner was Acquitted.

487. *Robert Cook*, of *Barnet*, was indicted for stealing a Mare, of a Bay Colour, val. 30 s. the Property of *John Shervon*, June 24. Acquitted.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 5.

<i>John Albin,</i>	<i>Elizabeth Harrard,</i>
<i>William Cardell,</i>	<i>John Maw, alias Morris.</i>
<i>Edward Goynes,</i>	

BURNT in the HAND, 1.

Thomas Fowke.

WHIPT, 7.

<i>Fane Bailey,</i>	<i>John George,</i>
<i>Elizabeth Bowmaster,</i>	<i>William Glossop,</i>
<i>Mary Candy,</i>	<i>John Warner.</i>
<i>Elizabeth Colebourn,</i>	

TRANSPORTATION, 30.

<i>Margaret Bell,</i>	<i>Thomas Fowley,</i>
<i>Thomas Butler,</i>	<i>William Fry,</i>
<i>Robert Butteriffe,</i>	<i>Fane Gainsley,</i>
<i>Elizabeth Cartwright,</i>	<i>Elizabeth Goldsmith,</i>
<i>Alice Cawkin,</i>	<i>Katherine Goodyer,</i>
<i>John Coates,</i>	<i>William Jones, alias Wright,</i>
<i>Patrick Cummins,</i>	<i>Robert Knave,</i>
<i>Ann Curry,</i>	<i>William Lloyd,</i>
<i>Mary Curtis,</i>	<i>Richard Neale,</i>
<i>Sarah Davis,</i>	<i>Christopher Oakley,</i>
<i>William Davis,</i>	<i>Marina Price,</i>
<i>William Deane,</i>	<i>Joseph Richardson,</i>
<i>D—E—,</i>	<i>Elizabeth Turner,</i>
<i>John Edwards,</i>	<i>John Waters,</i>
<i>Katherine Floyd, alias Huggins,</i>	<i>Elizabeth Wood.</i>

MICAJAH PERRY, Esquire, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Wednesday the 17th of October.

Printed for T. COOPER, in Pater-noster-Row, (Price Sixpence)

THE TRIAL of MAURITIUS VALE, Esq; Counsellor at Law, at his Majesty's Supreme Court of Judicature at *St. Jago de la Vega*, in the Island of *Jamaica*, before the Hon. John Gregory, Esq; Chief Justice of the said Court, and the Justices his Associates there, for the Murder of Mr. *John Stevens*, Merchant of that Place.

To which is added,

The LETTER wrote by Mr. *Vale* and sent to Mrs. G—y the Night before the Day appointed for his Execution: As also the Paper left behind him, as his Dying Words, the same Night found under him after he had cut his Throat.

T H E
P R O C E E D I N G S

A T T H E
S E S S I O N S of P E A C E, O y e r and T e r m i n e r,

F O R T H E
C I T Y of L O N D O N,

A N D
C o u n t y of M I D D L E S E X,
O N

W E D N E S D A Y the 17th, T H U R S D A Y the 18th, F R I D A Y the
19th, of *October*.

In the 13th Year of His MAJESTY's Reign.

B E I N G T H E
E i g h t h S E S S I O N S in the M A Y O R A L T Y

O F T H E
R i g h t H o n o u r a b l e *Micajah Perry*, Esquire,
L O R D - M A Y O R, of the C I T Y of L O N D O N.

N U M B E R V I I I.

L O N D O N:

Printed and Sold by T. COOPER, at the *Globe* in *Pater-noster Row*.
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Of whom may be had any of the preceding Numbers, or complete Sets on fine large Paper.

THE PROCEEDINGS

AT THE

Sessions of the Peace, and Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable MICHAEL PERRY, Esq; Lord-Mayor of the City of London; the Right Honourable the Lord Chief Justice LEE, Mr. Justice DENTON, Mr. Serjeant URLLIN, Deputy Recorder of the City of London, and others of his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City, and County of Middlesex.

London Jury.

Thomas James,
Samuel Sutton,
Jarvis Giffard,
Lawrence Newsham,
George Robins,
John Willis,
William Marlow,
John Knowles,
Daniel Dixey,
James Groves,
James West,
Richard Ward.

Middlesex Jury.

Benjamin Timbrell,
William Frith,
John Lutman,
Lawrence Neal,
Thomas Brookes,
Isaac Clark,
Joshua Fletcher,
William Barlow,
Robert Scot,
Thomas Hampstone,
Philip Speed,
William Campbell.

488. John Hart, of *Albhallows the less*, was indicted for stealing 300 cwt. and half a Pound of Wood, val. 5 l. the Goods of his Masters, Messrs. Hodges and Boyfield, Sept. 24. Guilty, 4 s. 10 d.

489. Sarah Sumner, of *St. James's, Westminster*, was indicted for stealing two Gold Rings, several other Goods, and 4 s. 6 d. in Money; the Property of John Farrat, Sept. 21. Guilty.

490. Thomas Hanning, of London, Labourer, was indicted, for that he on the 21st of August, in the Parish of St. Giles, without Cripplegate, with Force and Arms, feloniously and unlawfully

procured John Hough, (he being a Subject of our Lord the King) to enlist and enter himself as a Soldier for the King of Prussia, without Leave first had and obtained, under the Sign Manual of our Lord the King, in Contempt of our Sovereign Lord the King, and his Laws; to the evil Example of others offending; against the Peace of our Lord the King, &c. and against the Statute in that Case made and provided.

The Indictment further charged, — That he, the said Thomas Hanning, afterward, to wit, on the 21st of August, in the Parish aforesaid, with Force and Arms, feloniously and unlawfully hired and retained John Hough, (he being a Subject of our Lord the King) with an Intent to cause the said Hough to enlist and enter himself to serve the King of Prussia, as a Soldier; without Leave first had and obtained, &c. &c.

The Council for the King having opened the Indictment, and the Nature of the Offence, (which was made Felony without Benefit of the Clergy, by the IXth of his Present Majesty,) and having taken Notice of the evil Consequences of this Practice, and the Nature of the Evidence to support the Indictment, John Hough was sworn.

Hough. I am an English Man, born in Warwickshire; by Trade I am a Taylor, but I have been a Grenadier in the first Troop of Horse-Guards these four Years.

Counc. Was any Application made to you to quit the King's Service, for any other?

Hough. I did not think proper to leave my King and Country, to serve the King of Prussia, but I have had great Encouragement to do it.

Counc. From whom, and when?

Hough. About the Beginning of last August, or the latter End of the other Month, (it was last August) one Carrol came to my House, and asked

asked me to take a Walk with him; I refused him at first, because my Wife was ill a-bed: He came again in the Afternoon of the same Day, and likewise the next Day; I then went with him, and he carry'd me to a publick House at the Back of the Royal Exchange, I believe 'twas to the Sign of the *Horsehoe*. After we had drank together, he told me he would fetch a Gentleman who would speak with me, and accordingly he went out, and in a few Minutes he brought in one *Anderson*, who shook Hands with me, drank my Health, and ask'd me if I had any Desire to go Abroad? I told him, no. Then he asked me if I had dined? I told him I had not: Upon which he sent *Carrol* for some Beef Stakes, and in the eating them he told me, I was a likely young Man, and would do very well for the King of *Prussia*, and that his Service was much better than the King of *England's*. After we had din'd plentifully, he drank a Health to a particular Person on the other Side the Water, and we parted for that Time; but *Anderson* and I met several Times after this, and he having promis'd me some Work for him, as a Taylor, I went to his House in *Crown Court*, in *Crown Alley*, *Upper Moorfields*, and spoke to him about it: He told me, he would send me some Cloth to make up for him; but, says he, I know a Gentleman that wants to speak with you, and if you'll go to the *Royal Exchange*, and sit down on the Bench, I will meet you a Quarter after Twelve. I went thither, and waited a good while; at last the Prisoner came up to me, and asked me if I was not waiting for one *Anderson*, I told him yes; he then took me to the *Cross Keys Tavern*, where I found *Anderson*, and we had a Fowl and Bacon dress'd for Dinner, and drank several Bottles together. After we had drank plentifully, the Prisoner told me, *Carrol* had used me ill, in not delivering me the Cloth which *Anderson* desired I might make up for him, but I do assure you, (says he) you shall have whatever *Anderson* has promis'd you; and pulling a Sheet of Paper out of his Pocket, he gave it into my Hand, saying, — here is my Master's broad Seal, and this is his own Hand-writing: His Master (he said) was the King of *Prussia*, and that was his Power to enlist all Men who were willing to go, and none else. At the Bottom of the Paper he shew'd me the White Horse, which is Part of the King of *England's* Arms. What the Contents of the Paper were I cannot tell, for I could not read it: I am but a poor Scholar, and cannot read *English*, unless it be wrote very plain.

Counc. What Day was it when he produced that Paper?

Hough. It was in the Beginning of *August*, but I cannot tell the Day exactly. The next Day we met at *Guildhall Coffeehouse*, and agreed to meet again in the Evening at the Crown, in *Princes Street*, near the *Royal Exchange*: There we drank Beer, and had Oysters for Supper, and the Prisoner paid the Reckoning; he was too honourable to let me pay any Thing; I never paid but one Two-pence in his Company, and that was at this Place, when our Reckoning once came to 20 d. and he paid 18 d. and I laid down 2 d. At this Time he appointed me to meet him the next Morning, and he then told me, he had got a young Gentleman (whose Father had a Place under the King) to go Abroad with me, and who was taller than me by an Inch or two, and the Gentleman would be glad of my Company, and we might pass for Brothers. The Day following this, we met at *Guildhall Coffeehouse* again, and he talk'd about the young Man that was to go with me; I have since found it was one *Charles Clay*, who had lately been discharged out of *Newgate*, that was to pass for my Brother, and to go with me to *Prussia*. This Man the Prisoner brought with him the next Day to *Guildhall Coffeehouse*, and there he told me he would make *Anderson's* Promise good, and would make up 10 l. for me here, and 10 l. more he would give me when I came on the other Side of the Water.

Counc. What was you to have this Money for?

Hough. The Prisoner was to give me this Money to go over to be one of his Majesty's Gentlemen, as they are call'd, — to be one of the King's Body Guard: The King's Gentlemen is the usual Appellation given to his Body Guards; — we call them here the King's Gentlemen, and to be sure 'tis so Abroad. Our next Meeting was at the *Crown Tavern* at *Cripplegate*, and he would have had us have brought our Wives with us; but I refus'd, and said, no, no, we'll have no Wives with us. When the Prisoner order'd me to meet him at the *Crown* at *Cripplegate*, he wrote me this Paper of Directions. — I saw him write it with his own Hand.

Counc. You say he agreed to give you 10 l. here, and 10 l. on the other Side the Water, — what was you to do for it?

Hough. I was to serve the King of *Prussia*, as one of his Body Guard. I asked him how I should be sure of the Money when I got Abroad, and he swore, by the Eternal God, I should have it. He likewise told me, he would give me some Cloth to make up against I went Abroad, and he

desired me not to be dilatory, for he did not know how soon the Captain would go off. According to his Order, I met him and *Clay* about Noon at the *Crown* at *Cripplegate*, and we had not been there long, before the Prisoner's Wife and Child came to us. We all dined together, upon a Shoulder of Lamb roasted, and a Scrag of Mutton boil'd; and after Dinner, the Prisoner said—I don't know, Mr. *Hough*, how soon we may go; if I should give you some Cloth, I don't know whether you'll have Time to make it up, therefore here is a Thirty-six Shilling Piece to buy you a handsome Coat. Your Cloaths (says he) will be but of little Signification to you there, for my Master allows a Summer and a Winter Suit. At the same Time he changed a Guinea, and gave *Clay* half a Guinea, as a Person who was to serve the King of *Prussia*, as well as I; and *Clay* and I drank to one another, shook Hands, and agreed to pass for Brothers. Before we parted, he order'd me to come every Night to him at the *Crown* in *Princes-street*, and I accordingly went thither the next Evening. He then asked me if I had got Cloaths to go in? Perhaps (says he) you have not Money enough; so he left a double *Louis d'Or* with the Man of the House, and borrow'd 14 s. upon it, which he gave to me. He then took Measure of my Head, telling me he would buy me a Hat, and some ruffled Shirts, and would put me on board as a Merchant.

Counc. On what Account did he give you these 14 s. at this Time?

Hough. This was the Day after I had the Thirty-six Shilling Piece; and he gave me the 14 s. to buy other Things (as I thought proper) in order to my going over with him. I had made an Information of all this, sometime before, to Colonel *Deveil*, but there was no Warrant granted, because he said he would acquaint the Lord *Harrington* with the Affairs; but in the mean Time I discover'd it to my Officers, and they inform'd my Lord *Albemarle*, and then I had a Warrant to take them up; but upon enquiring after the Prisoner, we found he was gone on board to provide for our Passage; *Carrol* and *Anderson* were fled before, and the Constable and I went several Times to the Prisoner's House, and we were told he was gone Abroad likewise.

Counc. Had you any more Money of the Prisoner, than the 36 s. and the 14 s. which you have mentioned?

Hough. Yes; I had several small Parcels before, which he gave me for my Keeping, till I went with him to the Ship.

Counc. What Excuse did you make to him for not going?

Hough. He press'd me to make haste, because the Captain was going; but my Intent was not to go, tho' I promis'd him I would: I told him, I would get my Things ready as soon as possible. And after I had a Warrant to take these People up, I went immediately about it; but they were all fled. *Carrol*, I hear, is in *Ireland*, and *Anderson* is with the Prisoner's Brother at *Dunkirk*. The Prisoner was taken at the *Dolphin Inn* without *Bishopsgate*; he was to have gone Abroad next Day.

Counc. How far was *August* run out before the Prisoner was taken?

Hough. We were never three Days asunder in the whole Time. The last Money I receiv'd of him was on the 22d of *August*.

Counc. How long was that before he was taken up?

Hough. He had left his Lodging four Nights, and was taken nine or ten Days after at the *Dolphin Inn*.

Counc. Look on these Papers.—Are you sure the Prisoner wrote them?

Hough. Here's three Directions: These two I saw him write with his own Hand. The Papers were read.

" 12. At the *Crown Tavern*, *Cripplegate*.

" At the *Bare*, (Bear) *Castle-street*, against the " *Meuse*.

" 12. At the *Crown Tavern*, *Cripplegate*."

Hough. The second Direction to the *Crown*, the Prisoner wrote, because the first was not wrote plain enough for me.

Counc. Are you sure what Day in *August* you met the Prisoner at the *Crown* at *Cripplegate*?

Hough. I am sure it was the 21st or 22d. The last time I met him was on the 22d of *August*, and that was at the *Crown* in *Princes street*.

Counc. When was the first time you met at the *Crown* at *Cripplegate*?

Hough. The first time was in the Beginning of *August*; but when he gave me the 36 s. it was about the 20th or 21st, and I am sure it was a Thirty-six Shilling Piece, for I put it off for so much; and I received it from him, for going to *Prussia* to serve in that King's Body Guards. He said he did not know how soon the Ship would sail, and I said,—I did not care how soon I went.

Prisoner. What Day of the Week was the 14 s. given you?

Hough. I can't tell what Day of the Week it was; but 'tis my Opinion it was on the 22d of *August*;

August; for the Beginning and End of the Affair was in that Month. He had been out of the Country, and was come to *England* but five Days before he apply'd to me. He had been to carry a Man Abroad, and shew'd me a Letter intimating the same, at the Time he shew'd me the Commission, — the large Sheet of Paper: And I know the Man he carry'd Abroad was offer'd to our Company.

Prisoner. You say I paid you other small Sums at different Times, what were they for?

Hough. He gave me 3 s. 6 d. and such small Sums, for my Keeping, and those little Sums were to be made up 10 l. here, and I was to have 10 l. more on the other Side the Water; he told me so, when he gave me the second little Parcel of Money. He gave me 4 s. 6 d. at *Guildhall Coffee-house*, and bid me speak if I wanted any thing, for whatever I wanted I should have, *while I was here*.

Prisoner. Did I mention one Word to you of serving in the King of *Prussia's* Army, or in the Body Guards?

Hough. He did, as God is my Judge, twenty times over.

Prisoner. At what Place was you first told, that you was to serve in the King of *Prussia's* Army?

Hough. At the *Cross Keys*, by the *Exchange*; where he shew'd me the Commission: and that was in the Beginning of *August*.

Prisoner. Was your Name enter'd in any List or Roll?

Hough. I believe you know that is what cannot be done. The Roll, I suppose, is kept on the other Side the Water.

Prisoner. Have not you apply'd to me for Work as a Taylor?

Hough. The Prisoner promis'd to employ me several Times during our Meetings, but he never was as good as his Word.

Prisoner. And was not you angry with me for not employing you?

Hough. No. For if he did not give me Work, he gave me Money; and that was as well.

Prisoner. I have been ill and fatigu'd, so can't express myself as I would. 'Tis a base Prosecution, and I believe will turn out so.

William Court. I keep a victualling House; the *George*, in *Monmouth-street*. I have known *Hough* about three Years: His general Character is that of a Rogue. I never heard any Man give him a good Character, but have heard many give him a bad one. He lodg'd twenty-three Weeks in my House, in the Year 1736, but he never paid me any thing. He was a Soldier, and

bid me kiss his Arse. I had him before his Colonel^b and the Colonel endeavoured to get my Money; but *Hough* told him plainly he would not pay me. He has been once in my House since that time, and drank a Pint of Beer, but I believe he did not sit down.

Counc. Who do you know, that are of his Acquaintance?

Court. I can't tell. He is known about *Monmouth-street*: The Neighbours who use my House, know him.

Counc. Do you know the Prisoner at the Bar?

Court. No; I never saw him in my Life.

Patrick Grogan. I live in *Princes-street*, by *Drury-Lane*, and have known *Hough* very well by Sight, for these two Years and upwards. He has a very bad Character given him, by every one he deals with. I took the lower Part of his House to sell Beer in. I believe he values his Oath no more, than I would [do to] take the Snuff of this Candle and throw it on the Floor.

Counc. And how long did you live in his House?

Grogan. About a Quarter of a Year: I did not observe any ill of him during my Continuance in his House, but the People in the House gave him a bad Character. Once I saw him buying stolen Goods in my Apartment. He bargained for a Waistcoat, and was to give fourteen Shillings for it; then he took the Man to the *Barley-Mow*, and afterward I saw him bring the Waistcoat home. I did not know at that time, that it had been stole; but afterward the Man at the *Cross Keys* in *Monmouth-street*, came to ask me if I had bought such a Thing? I told him no, — but I knew who did.

Counc. Pray where do you live?

Grogan. I keep the *King's-Head*, in *King's-Head Court*, *Drury-Lane*. I am a Taylor by Trade, and before I kept this House I lived in *Ireland*; from thence I came to *London*; and from *London*, I went to *Paris*, to edify myself in my Business and from *Paris* I came to *London*.

Counc. So you went from *London* to *Paris* to edify yourself as a Taylor, *Alamode de Paris*, and from thence you came to *London* to draw Beer.

Nathaniel Hawkins. I live in *Exeter-street*, and have known *Hough* about sixteen Months. His general Character is that of a Rogue. Every one that knows him gives him that Character. I lived nine Months in his House, out of the sixteen. I knew he bought the Waistcoat, but I did not make any Information of it.

Counc. How long was this before you quitted his House?

Hawkins. About four Months. I gave him Warning the next Quarter Day.

Counc. I suppose you paid him his Rent?

Hawkins. No: I did not. He distrained upon my Goods, a Fortnight after Quarter-Day.

Counc. Was you present when *Hough* bought the Waistcoat?

Hawkins. I heard him say he had bought a good Bargain for 13 s. and that he would not take a Guinea and a Half for it. I don't say he knew it was stolen.

Counc. What Business do you follow?

Hawkins. I am a *Stay-Maker*, and work with Mr. *Alsop*, in *Blackmoor-street*.

Elizabeth Langford. I have known *Hough* about three Quarters of a Year and a Month. His general Character is that he's a vile odious Man, and don't care what he does for the Lucre of Money, nor whose Life he takes, — nor what he does. He lives next the *George Inn*, in little *Drury-Lane*.

Counc. You answered to the Name of *Langford*. Is not the last Witness (*Hawkins*) your Husband? Was not your Evidence set aside on a Trial at the *Marshalsea*, because you was his Wife?

Langford. I only live with him, to look after his little Apartment, and to wash him, and mend him, and to take Care of his Children, for he has no Wife.

Charles Martin. I have known *Hough* about a Year and a half. I live now within three or four Doors of him. The Neighbourhood gives him the Character of doing any thing for the Lucre of Gain. I am not acquainted with him any farther than giving him a civil Answer in passing and re-passing. I lived once three Months in his House, and I believe he would not scruple to swear a Man's Life away. I believe he would do it for nothing, — provided he could get any thing by it.

James Gorman. I have known *Hough* between four and five Years. I don't hear any thing of a good Character of him. His Neighbours give him but a very indifferent one, as that he is a very uneasy, unjust Neighbour. I don't think he is to be believed upon his Oath. I am a Journeyman Taylor, and I live in *Drury-Lane*. I worked with him at one Mr. *Carrington's*, at the *Golden-Key*, in *Wyck-street*, two Summers, off and on.

Francis Priest. I have known the Prisoner about four Years: He always bore an honest Character, and I believe he is in a good Way of Business. He buys Cloth, and goes abroad to *France*,

and *Dunkirk*. I know he bought four or five Pieces at a Sale, and I bought four Yards and a half of him again. I believe he trades sometimes to *Holland*, and brings Goods from abroad, but I don't know that he ever entered any at the Custom-House.

Abraham Anderson. I have known the Prisoner three Years. I never heard any thing to contradict his being an honest Man. He trades to *Dunkirk*, and I have sold Cambricks for him. I reckon him a Merchant, but I can't say I know of his entering Goods at the Custom-House.

Edward Hartrey. I have known the Prisoner seven or eight Years. He trades beyond Sea: I never bought any Goods of him, but I bought some Houses of him about eight Years ago, and have paid him a deal of Money. I never heard but that he had a good Character, nor ever knew that he was concerned in insisting Soldiers.

Richard Oldridge. I have known the Prisoner five Years; he is in a good Way of Livelyhood, and has a good Character. I never heard of his enlisting Men for Soldiers, in my Life. He goes about half a Dozen times a Year to *Holland* and *Dunkirk*, and I know the Captain who was to have carry'd him, this time, — if he had not been taken into Custody. I have made him 14 Great Coats for Exportation, and two or three of my Servants pack'd them up, with some other Goods, among which was a Piece of coarse Cloth, about eight or nine Shillings a Yard, and some Remnants of six Shillings a Yard.

Prisoners. What Sums and Bills have you seen in my Possession?

Oldridge. To the Value of 600l. in Money and Bills.

Jury. What Colour were the Cloaths you made up for the Prisoner?

Oldridge. Some of them were dark Drabs; some of them were lin'd, and four of them unlin'd.

John Lee. I have known the Prisoner sixteen or seventeen Years. I never heard but that he had a fair Character. I have dealt with him for some Pounds, and always found him an honest Man. I could not believe this Charge against him was true, when I heard it.

The Council for the Prosecution called the following Witnesses, to support the Character of *Hough*.

Mr. Timms. I know *Hough*; his general Character is, that he is an honest Man. I am a Taylor, and live very near him in *White-bart Lane*. I am a Housekeeper there, and have known him

five Years. His Character is good, as far as I know; I never heard any Ill of him, and believe he would not forswear himself.

Prisoner. Have you had any Dealings with him?

Timms. No: But I believe him to be an honest Man, though I have not dealt with him.

Samuel Bird. I live about twenty Yards from *Hough's* House, and have known him about two Years. What he deals for, he pays for. I never heard, or knew, of any Dishonesty in him. I am a Housekeeper in *White-bart Yard*; *Hough* is a Soldier, and his Wife keeps a Chandler's Shop. I don't believe he would swear a Man's Life away wrongfully.

Nathaniel Hopson. I have known *Hough* about five or six Years. I am a Housekeeper, at the *Artichoke* in *White-bart Yard*, — 'tis joining to *Drury-lane*. I never heard but that he had an honest Character; nor do I think he would forswear himself.

Joseph Crisp. I live in *Russel-street, Covent-Garden* — but a little Distance from *Hough's*. I have known him three Years, and he bears the Character of a very honest Man. I have entrusted him with some Scores of Pounds; he has return'd Money for me, because I did not think myself so proper to do it; and I have always found him honest, and he has faithfully accounted with me, for a Hundred or two of Pounds. He is entrusted by me at this present time. I never heard any Man give him an ill Character, or speak an ill Word of him in my Life. As for perjurying himself, I do not think he would be guilty of such a Fault.

Prisoner. What Business do you follow?

Crisp. I am a Housekeeper; I keep a Chandler's Shop, and have lived about Half a Year where I do now.

Prisoner. You say you are a Chandler, and you talk about his returning 200 l. for you. From whence did this Sum come?

Crisp. From *Norfolk*. I am not Scholar capable of taking Care of my own Affairs; so I entrusted him.

Prisoner. Why *Hough* cannot read a Letter [The Prisoner produced a written Paper, which was shew'd *Hough*.]

Hough. I can't read this Paper; but what signifies that? I can keep an Account, and I can write a little. Mr. *Crisp* had 200 l. left him in the Country; I went down, and manag'd the Affair for him, and kept a just Account. I have paid Six-score Pounds, and have Four-score more to receive for him.

Robert Rounsome. I have known *Hough* twelve or fourteen Months. I live in *White-bart Yard*, near where he lives; I never heard a bad Character of him, before I heard it here; in the Neighbourhood where he lives he bears a good Character.

Captain Hopkins. I have known *Hough* ever since the 23d of February 1735-6. I enter'd him then in the Troop, and the Man has behav'd well. I never heard he had a bad Character, and I believe he would not forswear himself.

Prisoner. Has he never been punish'd?

Captain Hopkins. No; never. He came and told me of this Affair, on the 24th of August; but he had been with Mr. *Dewil* before. When he acquainted me with it, I informed the Major, and we went to my Lord *Albemarle* about it. The Warrant to take the Prisoner was granted a Fortnight after *Hough* had made his Information before Mr. *Dewil*; but he was not taken till a Week after that time. I know nothing of the Prisoner.

Serjeant Lock. *Hough* has been in our Troop about four Years; he always behav'd like a Soldier, and has done his Duty. As to his private Affairs, I know nothing of them. I never heard any Ill of him.

Thomas Plant. I keep a Publick House in *White-bart Yard*; the Sign of the *Antelope*. I have known *Hough* a Year and a Half; he has a very good Character. I never heard any one speak ill of him till I came here; nor do I think the Man would be guilty of an ill thing.

The Jury found the Prisoner Guilty. *Death.*
491. *James Evans* was indicted for stealing 10 lb. of Soap, and half a Peck of Coals, the Goops of *William* and *John Townsend*, Sept. 29. Guilty, 10 d.

492, 493. *James Bennet* and *Elizabeth Bennet*, otherwise *Elizabeth Cornforth*, were indicted for stealing three Linnen Shirts, val. 16 s. and a Man's Hat, val. 2 s. the Goods of *James Mawle*, Esq; Sept. 10.

John Cool. My Master, Mr. *Mawle*, had a Lodging in the Prisoner's House in *Bond-street*, and when I took my Master's Things from their House, I miss'd three Shirts: This was about the 12th of last Month. My Master came to this Apartment about the 24th of last June, and the Shirts were in a Portmanteau-Trunk in his Room, which was lock'd, and I kept the Key in my Pocket. I saw the Shirts in the Trunk, and took Notice that it was lock'd, about two Days before I miss'd them; but then I found the Lock burst open, the Shirts were gone, and likewise a Hat out of a Box in the Closet. Two of the Shirts were

were found at two different Pawnbrokers, and the Prisoner wore the Hat when he went into Confinement.

Fletcher. I believe the Prisoner at the Bar to be the Man from whom I took a Shirt in Pawn, on the 10th of September, at Night.

Cool. I misl'd the Shirts on the 12th.

Prisoners to Cool. What Rent did your Master owe?

Cool. I know nothing of any Rent owing to them; but I know they ow'd my Master Money. There had been an Action against him, (*Bennet*) and upon that Account he ow'd my Master 20 l.

Prisoner. Ask *Cool* how he got into our House, when he took his Master's Things away.

Cool. My Master was out of Town, but I had a Key to the Door.

Fletcher. I can only say, that I believe the Prisoner *Bennet* was the Man who brought me this Shirt, in the Name of *Cornforth*.

Cool. This is my Master's Shirt.

Martha Walker. I was Mrs. *Bennet*'s Servant; she gave me a Shirt to pawn, and I carry'd it to this Woman, (*Barbara Withers*) and she lent me 4 s. upon it. I forgot the Day of the Month.

Barbara Withers. On the 8th of September, in the Morning, I lent 4 s. upon this Shirt, in the Name of *Martha Walker*.

Cool. This is my Master's. I am sure I saw them a Week before.

Mrs. Bennet. His Master ow'd me Money for Rent, and I having some Suspicion that he was moving his Goods, I thought proper to secure the rest, and not being used to make Seizures, I did not do it in a proper Manner. People told me, I must lock them up, and give his Master a proper Account of them. After this Mr. *Mawle* sent for my Husband, (on a Sunday) to the *Three Tun Tavern*, in order to settle the Account of what was due to us, and he desired his Things might be delivered to his Servant; but it being insisted upon that I should be paid before the Delivery of the Goods, he got a Warrant against my Husband for an Assault, and carry'd him before Sir *Edward Hill*.

Mr. Bennet. After this I was arrested, and while my Wife was getting Bail, and I under Arrest, *Cool* got into the House, and took several Things, and the Key of the Portmanteau, which was in a Card Table-Drawer. The Shirts were not in the Portmanteau, but in a little Chest of Drawers.

Mrs. Bennet. When I went out to get Bail for my Husband, this *Martha Walker* went with

with me, and in her Haste she shut the Street-Door, and left the Key in the Inside.

Martha Walker. 'Tis true; and when I came home, I saw *Cool* coming out of the House, with the Cloaths upon his Arm, and a Band-box, so I got a Constable, and took him before Sir *Edward Hill*, to give an Account of himself. I don't know whether the Things were his own or his Master's, nor do I know how he got in, for I left the Key in the Inside of the Door.

Mr. Brumfield. Mr. *Bennet* came to Mr. *Daveil* with an Information against *Cool* for a Burglary. When he was taken, he confess'd he got in at the Window, and took away his Master's Things, upon which he was sent to the Gatehouse; and after several Examinations, Mr. *Daveil* found it was a Dispute between *Landlord* and *Tenant*, and it appearing to him a malicious Prosecution, *Cool* was discharged. He (*Cool*) never mention'd any thing of a Felony having been committed by the Prisoners, at that time; but afterwards one *Hayman* charged them before Mr. *Daveil* with a Shirt, val. 2 s. 6 d. and insisted on their being sent to *Newgate*. All the time that *Cool* was in Custody, he never mention'd this Robbery, but he own'd he got in at the Window for his Master's Goods; and they swore, that some Goods of theirs were taken out of another Room. Both Acquitted.

They were again indicted for stealing a Pair of Linnen Sheets, val. 2 s. 6 d. and a Napkin, val. 6 d. the Goods of *John Hayman*, June 30.

But the Prosecutor not appearing, the Prisoners were Acquitted.

494, 495. *William Green* and *William Lesson* were indicted for ripping and stealing 80 C. wt. of Lead, val. 4 l. the Property of *Ferdinando John Paris*, fix'd to his Dwelling-house, Sept. 16.

Elizabeth Gough. I live at Mr. *Paris*'s in *Strand-Lane, Surrey-street*. On Sunday Morning, the 16th of September, about One o'Clock, I open'd a Sash that looks over a Parlour, (which is lower than the rest of the House, and was cover'd with Lead) to see whether it rain'd or not: The Leads at that Time were very wet, but upon putting my Hand out of the Window, I found it did not rain.

Mr. Paris. This House is mine; and the Parlour that has been mentioned, was cover'd with near 40 C. wt. of Lead. On Saturday Night, between Ten and Eleven o'Clock, as I was going to Bed, I look'd out of a Window that looks over these Leads, toward *Somerset Gardens*, to see what

what Weather it was, (according to my usual Custom) and I then saw the Lead safe; but at Six o'Clock on *Sunday Morning, Sept. 16.* as I came down Stairs, I saw two great Strips cut off to the Joinings where the Lead is doubled over. Upon this I went down *Strand-Lane*, and enquired of several People if they had seen any Lead carrying off? One of them told me, that *William Green of Maypole-Alley* had a good Job To-night, and that a great deal of Stuff had gone into his House. Hearing this, I went to *Maypole-Alley*, and enquired after *Green*; before I could get a Word of an Answer, the People said, —What, Sir, have you been robb'd To-night? I had a wretched Character of him, and therefore I apply'd to a Magistrate for a Search Warrant, but could not get one on *Sunday*. However, I planted my own Servants, and five or six others, about the House: In short, I beset it all *Sunday* and *Sunday Night*, and went myself every Half Hour, or Three-quarters, to see that my Watch did Duty. About One o'Clock on *Monday Morning*, my Servant sent me Word, he had seiz'd a Man with some Lead; I went to him, and found *Hesketh* with a large Quantity, which I thought was mine; so I carry'd him before a Justice, and upon his Information I search'd *Leeson's House*, and in a little private Hole under the Stair-Case, I found another Quantity press'd as flat as possible. I examin'd it, and found some of it still wet; I took as much of it as I thought was mine, and sent it to be flatted, and upon laying it to the Place, I found it tallied exactly in all the Notches and Indentures. I am very positive all the Lead I found in *Leeson's House* was mine; but when I had it laid on the Place from whence it was taken, there was not enough, there was still some wanting: So I went to search *Green's House*; there I saw some small old Iron, but a huge large Pair of Scales, and at last I found my Lead, and pick'd it out of a great Quantity which he had in his House, and upon laying it to the Places where it had wanting, it tallied in the most exact Manner; in one Place they were forced to cut round a Nail, and the Cut in the Lead fitted the Nail. Upon this I took *Green*, and carry'd him before a Justice, where he own'd that he himself carry'd Part of my Lead to *Leeson's House*, (which is exactly opposite to his own in *Maypole-Alley*) at Three o'Clock on *Sunday Morning*. The Lead that my Man stopp'd upon *Hesketh*, that likewise was mine, and I left it in the Constable's Hands; that was cut very irregularly, and tally'd exactly.

I lost above 8 C. Wt. I think there was 9, but I won't swear to a Pound or two.

Edward Oak. I don't know the Prisoners; but on *Sunday Evening*, I saw two Men carry something like Lead under the Flaps of their Coats to *Hesketh's*, at the Corner of *Maypole Alley*. One of the Men had a Set-to Coat on, with a Cape; he was very much like the Prisoner, and the Coat like what *Green* has on now: I saw them carry it into *Hesketh's Cellar*. I saw no more of them that Evening, but on *Monday Morning*, between Six and Seven o'Clock, *Hesketh* brought something in a Basket out of his Cellar; and to me, it appeared, as two Bunches of Turneps. He called a Man to give him a Lift-up with the Basket; which I saw, and was surprized that two Bunches of Turneps should be so heavy; so I followed him from his Cellar to *Clare-Market*, and there he pitched the Basket upon a Bulk. Then I went up to him, and asked him if those Turneps were to be sold? No, says he, there's nothing to be sold. I insisted on looking into the Basket, and found a Parcel of mill'd Lead under the Turneps; so I sent for my Master, and we took *Hesketh* before Mr. Justice *Frazier*, who granted us Search-Warrants, by virtue of which, we found great Quantities in *Leeson's* and *Green's House*, all which, (with that, which we took from *Hesketh*), fitted exactly to the Places, from whence they were taken. When *Green* was before the Justice, he said, he had been out that *Saturday Night* till Twelve o'Clock, that he then came home in Liquor and went to Bed, but his Wife called him up about Three o'Clock, and told him, some Lead was brought to the House, which his Cousin took in, and he was uneasy about it, and said, it must be removed. He told us, that his Wife informed him, the Lead was brought in by *Thomas Asser*, and that he himself carried Part of it to *Leeson's House*, telling him, he was not afraid himself, nor need he (*Leeson*) fear coming into any Trouble about it.

Thomas Hesketh. I was the Porter, and the Lead found was in my Basket. On the 16th of *September*, at Night, the Prisoner *Leeson* called to me, and asked me where *Green* was? I asked him if any thing was the Matter, more than ordinary? He said, yes; he had a great deal of Lead in his (*Leeson's*) House, which was brought in that Morning. *Leeson* wanted to move it to my Cellar, but I advis'd him to stay till *Green* came; but he swore a great Oath, and said he would throw it down the Vault. After this I

R r

went

went to get a Pint of Beer, and while I was gone, I found two Pieces had been brought into my Cellar. I saw *Green* presently after; he told me he was not afraid of any thing, and bid me carry the Lead from my Cellar to *Waldron*, the Plummer, in *Holborn*. Accordingly, the next Morning, between 7 and 8 I put the Lead in a Basket, and covered it with a Bunch of Turneps, because I was afraid 'twas not honestly come by, and I was stopped with it in *Clare-Market*, as I was carrying it to *Waldron*. This is one of the Pieces that was then taken from me: I put my Name upon it, and here it is now.

Mr. Paris. This is a Piece of what I lost.

Mr. Frazier. *Green* being brought before me, owned that such Lead as *Mr. Paris* had lost was in his House, but he could not give any Account how he came by it: He said it came in, while he was from home. *Leeson* was not brought before me.

Mr. Paris. *Green* told *Mr. Frazier*, that *Thomas Affer*, (his Cousin) brought it into his (*Green's*) House, I asked him who this *Affer* was, and told him I would send a Horse and Man fifty Miles to find him, but he said he did not know where to find him, tho' (he owned) he was his Nephew, and and lived in the House with him.

Mr. Frazier. I do remember he mentioned *Affer's* Name.

Prisoner Leeson. *Green* knocked me up on Sunday Morning, and told me he had a Parcel of Lead in his House, which his Kinsman had taken in, and as he had been in Trouble before, (on such Accounts) he desired me to let him put it in my House, 'till the People who brought it should come for the Money, and then he should know (he said) who it came from.

Mary Meddall. I am a Midwife. I live in *Russel-Court*, by *Covent-Garden*. On that Saturday Night I was sent for to *Green's* Wife; she was ill, and I thought it would be her Labour, so I staid with her till between Four and Five o'Clock on Sunday Morning. Pretty near Twelve, *Green* came home very much in Liquor, and his Wife and I went up, and saw him safe upon a Bed up two Pair of Stairs in his Cloaths. This was about 12 o'Clock; — I am sure it was not past One. After his Spouse and I had seen him safe, we came down Stairs and had a Dish of Tea. About Two o'Clock, somebody knocked very hard at the Door, and *Mrs. Green* called to a Relation to see who it was. She went down two or three Steps herself, and I (being a little curious) listened myself; and

I heard three or four People say, — where's *Green*? We have got some Lead to dispose of. *Mrs. Green* told them he was a-bed, fuddled; and that 'twas a wrong time o'Night to bring Lead to sell. Why then (says the Men) we'll leave it till we can speak to your Husband; and I heard a heavy Load fall on the Ground. I have known *Green* six or seven Years; he buys and sells old and new Brass, and Lead and Iron: I never heard any thing in this Respect before. He has the Character of a sober Man in his Neighbourhood. Indeed I have heard he has been in Trouble before, but he was Acquitted by the Court.

Anthony Young, (*Green's* Landlord) *Charles Day*, (a Chandler) *John Harris*, (a Picture Framemaker, and Keeper of a Stuff Shop) gave the Prisoner *Green* a good Character.

Thomas Deacon, in *Stanhope street*, the Corner of *Maypole-alley*, and *Richard Harris*, had known *Green* about nine Years, and gave *Green* the Character of a bad Man, and said he was a reputed Buyer of stolen Goods.

John Lamb, *William Foster*, *William Henning*, *John Logan*, *John Baily*, *Susan Foster*, *Richard Smallwood*, *Elizabeth Matthews*, and *Francis Rimer*, gave *Leeson* a good Character.

John Matthews swore he knew *Leeson* when his Mother was with Child of him, and that he always had behaved well. *Green* Guilty; *Leeson* Acquitted.

496. *Mary Hardcastle* was indicted for stealing a Cloth Waistcoat, val. 1s. and two Pair of Leather Breeches, val. 4s. the Goods of *Thomas Lewis*, O^r. 12. Guilty 10 d.

497. *Rebecca Matthews* was indicted for stealing a Cloth Coat, val. 5s. the Goods of *Thomas Martin*, Sept. 14.

The Prosecutor not appearing, the Prisoner was Acquitted.

498. *Sarah Jones*, of *St. Andrew*, *Holbourn*, was indicted for stealing a Beaver Hat, val. 3s. the Goods of *Martha Williams*; and a Pair of Clogs, val. 4 d. the Goods of *Richard Marshall*, O^r. 3. Guilty, 10 d.

499. *Samuel Botwel*, of *St. Butolph*, *Aldgate*, was indicted for privately stealing a Silk Handkerchief, val. 2s. 6 d. from the Person of *John Morris*, Sept. 9.

John Morris. On the 9th of September as I was going up a Passage from *Tower-hill* into *Rosemary-Lane*, the Prisoner picked my Handkerchief out of this very Pocket.

Ans

Ann Temple. I saw him take it out of the Gentleman's Pocket, and he never was out of my Sight till he was taken.

Prisoner. I was going on an Errand for my Master, and li't of two Boys, who 'ticed me away, and said, — Good Lad, go along with us, — we'll teach you to pick Pockets, and so I begun with this Gentleman. Guilty, 10 d.

500. *John Matthews* was indicted for ripping and stealing 1 C. Wt. of Lead, from the Dwelling-house of *Thomas Moore, Esq;* Oct. 1. Guilty.

501. *Mary Laurence* was indicted for stealing a Silk Gown, a Calimanco Gown, a Camblet Riding Habit, and several other Things, the Property of *Edward Raper*, in the Dwelling house of *Ambrose Steed, Sept. 4.*

It appeared from the Evidence, That *Mr. Raper's* Wife came out of the Country, and took a Lodging at *Steed's* House, the *Royal Oak* in *Newport-street*. That the Prisoner was *Steed's* Servant, and used to make the Prosecutrix's Bed; who missing her Goods out of the Room, after the Prisoner had been there an unusual time, she was tax'd with taking them, and confess'd the Fact; acknowledging, that at the Instigation of one *Paul King*, she had thrown all the Things to him out of the Windows in the Prosecutrix's Room. Guilty, 39 s.

502. *William Stewart* was indicted for stealing a Peruke, val. 10 s. the Goods of *Isaac Salmon*, in the Shop of *James Gillet, Sept. 19.* Guilty, 10 d.

503. *Elizabeth Martin* was indicted for stealing three Silver Tea-Spoons, val. 5 s. and a Pair of Silver Tea-Tongs, val. 3 s. the Goods of *Michael and Thomas Phillips, Octo. 8.* Guilty, 4 s. 10 d.

504. *Hypers Samuel* was indicted for breaking and entering the Dwelling-house of *David Benjamin*, about the Hour of Four in the Night, and stealing a Copper Oven-lid, val. 2 s. 6 d. Sept. 14. Guilty, Felony, 10 d.

505. *Samuel Smith*, otherwise *Black Sam** was indicted for privately stealing Seven Shillings from the Person of *Mary Lillo, Octo. 1.*

Mary Lillo. On the 1st of October I was coming past the Mansion-house which is now building for the Lord Mayors; and a Plank being laid over a very dirty Place, the Prisoner offer'd

to help me; while he kept close to me, I felt something at my Pocket, under my Petticoat, and as soon as I had got over the Plank, I put my Hand in my Pocket, and found it cut. I know I had 12 s. in it when I was at the End of *Lombard-street*, for I then took out my Snuff Box, and felt my Money; and I was no sooner off the Plank, but I miss'd two Half-Crowns and 2 s. Upon this I turn'd, and saw the Prisoner stand at the Place where he first offer'd to help me, so I went back, and took him by the Sleeve, and charg'd him with picking my Pocket, and three Gentlemen came up to my Assistance; so we took him to the *Mansion-Alehouse*, and charged a Constable with him. He was desir'd to send for somebody to his Character, but he refus'd. Then the Gentlemen asked him, if he had any Money about him? At first he said, he did not know what Money he had; afterward he said he had 16 or 17 s. and at last he pull'd out 17 s. there were two Half-Crowns, and all the rest were Shillings.

Joseph Walton. As I was passing by *Stocks-Market*, *Mrs. Lillo* stopp'd the Prisoner, and told him, he had pick'd her Pocket. We carry'd him to the *Mansion-Alehouse*, and she told the same Story that she has done now. We ask'd him who he was, and where he lived? He would not give us any direct Answers; but at last he said he liv'd in *Whitechappel*. I asked him in what Street? He could not tell. Then a Gentleman asked him, what Money he had about him? He said, he could not tell; but at last he pull'd out 12 s. and two Half-Crowns. We told him he might justly be suspected, and desir'd him to send for some People of Credit, to speak to his Character: The Drawer told him, there was a Porter ready to go to any one; no (he said) he was innocent, and he'd send for nobody. Upon this we advis'd her to charge a Constable with him, which she did, and we carry'd him to my Lord Mayor's, where several People knew him; but my Lord being at *Grocer's Hall*, he was sent to the Compter for that Night, and was committed to *Newgate* next Day.

Black Sam. When I was carry'd up Stairs at the Alehouse, I pull'd out my Things, and no Knife was found about me.

Mr. Walton. The Prisoner was not search'd at all: He pull'd out his Money himself, and nothing but his Money.

Black

* See Kew's Evidence in the Trial of Robert Andrews, for picking Mr. Tanner's Pocket, in Alderman-bury, of 55 Guineas, last December Sessions, p. 9.

Black Sam. I would ask her, whether she met nobody between *Lombard street* End, and the Place where she lost her Money?

Mrs. Lillo. I did not stop, nor meet any one, (to be near him) till I came to the Prisoner. Acquitted.

506. *John Horcut* was indicted for stealing a dead Goose, val. 2 s. 6 d. the Goods of *Susannah Lorman*, Sept. 21. Guilty.

507. *Elizabeth Ward* was indicted for privately stealing 11 s. in Money, a Linnen Napkin, val. 4 d. and a Silk Handkerchief, val. 1 d. from the Person of *George Gray*, Sept. 9.

George Gray. On the 9th of September, at Night, as I was coming past *Poor Jewry-Lane*, by *Aldgate*, the Prisoner met me, and asked me how I did; I told her I did very well, and stood talking to her about three or four Minutes; in the mean time I found her Hand in my Pocket, and by that means it came into my Head that she had pick'd it. I had about 25 or 26 s. in my Right-hand Breeches Pocket, and upon feeling for my Money, I miss'd four Half-Crowns and a Shilling. I tax'd her with taking it; she deny'd it;—but I found a Half-Crown and a Shilling upon her myself, and the Napkin and Handkerchief were taken from her at the Watch-house. I never saw the Prisoner before the Night she robb'd me; but upon her asking me how I did, I stood and talk'd with her, but what Discourse happen'd between us I really can't tell,—for I have forgot it. When I first charg'd her with robbing me, she told me I had robb'd her; but upon searching her at the Watch-house, the other three Half-Crowns were found in her Pocket, and as they were stripping her, the Handkerchief and the Napkin dropp'd from her.

George Wardley, Constable. About One o'Clock that Morning I had been with a Prisoner to the Compter; when I came back I found the Prosecutor and the Prisoner at the Watch-house. He charg'd her with picking his Pocket, and told me he had lost 11 s. but he had taken Half a Crown and a Shilling from her, and the other three Half-Crowns, he was sure, she had still somewhere about her. I (knowing her to be a Woman of the Town) expostulated with her, and desired her,—if she had done so,—to give him his Money again,—and I reprimanded her, and told her, our Watchmen must search her. Accordingly I carry'd her into my Kitchen, adjoining to the Watch-house, and a Woman coming in, we search'd her. I pull'd her Gown open, and search'd her Pocket, in which I found this Hand-

kerchief, (which the Prosecutor own'd) and in the Bosom of her Shift I found these three Half-Crowns. The Napkin dropp'd from her on the Ground.

Prisoner. I lodge with *Samuel and Elizabeth Batman*: He is a Watchman in *Fenchurch-street*. On Saturday Night, about five Weeks ago, my Landlady sent me with 3 s. and 6 d. to her Husband at the Watch-house, that he might buy some Meat for Sunday's Dinner. As I was going along, I kick'd against something like Linnen, which I took up and put in my Pocket. At the Pump by *Aldgate* I met this Man: My dear (says he) where are you going? Why, I don't know you, says I, and I am in haste; but he gave me a Pull, and asked me to drink, telling me he intended no Harm; so I went with him into *Crouched Fryars*, and stood talking with him in the Street: He wanted to be rude, and told me,—perhaps I might want Money; I said I was not given that Way, but he put three Half-Crowns down my Bosom; and afterward,—when he found I would not agree with him, he put his Hand into my Pocket, and took out a Half-Crown and a new King George's Shilling, which I was carrying to my Landlord. Guilty, 10 d.

508. *Jane Burgoyne* was indicted for stealing a Velvet Hood, val. 3 s. a Linnen Apron, val. 1 s. a Cambrick Cap, val. 6 d. the Goods of *Lora Finney*; and a Cloth Woman's Cloak, val. 3 s. a Linnen Sheer, val. 2 s. and other Things, the Goods of *Rachael Finney*; and one Shirt, val. 3 s. and one ditto, (unfinished) val. 3 s. the Goods of *George Flatman*, Sept. 14. Guilty, 10 d.

509. *Jane Thicker* was indicted for stealing 6 l. the Money of *Peter Cobey*, in his Dwelling-House, Sept. 22. Acquitted.

510. *Mary Barnet* was indicted for stealing two Pair of Linnen Sheets, val. 3 s. the Goods of *William Phillips*, Sept. 16. Guilty, 10 d.

511. *Francis Slack* was indicted for stealing four Silver Salts, val 9 l. and four Silver Salt Spoons, val. 2 s. the Goods of *William Turner*, Doctor in Musick, Aug. 1.

Francis Runcivil. The four Salts and Salt-Spoons were lost out of Dr. *Turner's* House, and we never knew who stole them, till *John Robinson* (an Accomplice in the Fact) came with a Goal-keeper to our House, and made a Confession, that he took them out of our Beaufet.

John Robinson. The Prisoner and I was going along *Duke-street, Westminster*, about Seven o'Clock in the Morning, eleven Weeks ago; and seeing the Doctor's Street-Door open, I went in and took

took four Salts and four Salt-Spoons out of the Beaufette. The Prisoner stood at the Door while I went in, but he had his Share of the Money I sold them for. I disposed of them to one *Walpole*, in the *Old-Bailey*, but since my being in Custody, he is fled.

Runcivil. *Robinson* told us where he had sold the Goods, and we made Enquiry after this *Walpole*, but he is gone off. Acquitted.

He was a Second Time indicted for stealing four Ducks, value 3 s. and a Drake, val. 9 d. the Goods of *John Haines*, Sept. 7. Acquitted.

§12, §13. *Alexander Flack*, and *James Purvis*, were indicted for breaking and entering the Dwelling House of *Thomas Sinclair*, between the Hours of Nine and Ten at Night, and stealing two Silver-Tea Spoons, and other things, Aug. 8.

Sinclair. I keep a Chandler's Shop, in *Chandos Street*; on the 8th of *August* the Things mentioned in the Indictment were missing out of a Back-room, behind my Shop. I had been abroad that Evening, and when I came home about Ten o'Clock, I found I had been robbed. A Pane of Glass in the Casement was broke, and the Packthread which fastened it on the Inside was undone, and we found it open.

John Robinson. *Alexander Flack*, and *Purvis* and I, went to this Man's House; *Purvis* stood watching at the Door, while I broke a Pane of Glass in the Casement, and opened it, by untying the Packthread with which it was fastened. Then *Flack* and I got in the Things (mentioned in the Indictment) which we sold to *Flack's* Wife, and our Shares were 6 d. a piece.

Flack. When *Robinson* was before Colonel *Dewell*, he put four People in this Information.

Robinson. There was one *Tom Butler* with us at this Time, but he being cast last Sessions for Transportation, Mr. *Dewell* said I had no need to take Notice of him: He had 6 d. of the Money the Goods were sold for, as well as we.

Purvis. *Flack* is innocent of the Matter.

Both Acquitted.

§14. *Sarah Crosby* was indicted for stealing three Quarters of an Ounce of Gold Thread, val. 7 s. the Goods of *Gabriel Marse*, Octob. 10.

Guilty 10 d.

§15. *John Sagery* was indicted for stealing a Velvet Cap, val. 5 s. and several other Things, the Property of *George Foundes*, Jan. 14. Guilty, 4 s. 10 d.

§16. *Mary Wood* was indicted for stealing a Scarlet Cloth Cloak, &c. the Goods of *Ann Hadson*, Octob. 8. Guilty, 10 d.

§17. *Coffal Jonas* was indicted, for that *James Wint* having stole a Deal Box, val. 3 s. twenty Doz. of Lambskin Gloves, val. 16 l. 10 s. thirteen Doz. of Kid Gloves, val. 13 l. fifteen Doz. of Thread and Cotton Stockings, val. 2 l. 10 s. ten Pair of Cotten Gloves, val. 1 l. one Doz. of Thread Socks, val. 15 s. eighteen Yards of Pink Brocade, val. 4 l. 10 s. twenty-four Yards of Persian Silk, val. 6 l. twelve Yards of blue Damask, val. 3 l. 5 s. fourteen Yards and one Yard of Tabby, val. 3 l. 10 s. and two Pair of Childrens Satten Shoes, val. 3 s. the Goods of *Charles Ashburn*, April 28; he, the said *Jonas*, the same did receive, knowing them to be stole.

Charles Ashburn. *Wint* was convicted of stealing the above-mentioned Goods last *June* Sessions. I can only say I lost them from the *Horse shoe Inn* in *Goswell street*, and that upon the Trial of *Wint*, one *Akins*, an Accomplice, gave in Evidence that he, *Wint*, and *Brown*, stole the Goods, and carry'd them to *Mary Bullinbroke*, (who has since been transported) but she not having Money enough to pay for so large a Parcel, they carry'd them to the Prisoner, who bought the whole Cargo. *Akins* is now gone Abroad, and so the Prisoner comes to take his Trial.

Mr. Justice Chamberlain gave an Account, that Mr. Justice *Heusch* (lately dead) inform'd him, that the Prisoner absconded till *Akins* was gone; and that he believ'd there was a Charge against him on Account of a Fact committed in *Bishopsgate-street*. Acquitted.

See Sessions Book for *June* 1739. p. 98.

§18. *Margaret Hull* was indicted for stealing eleven Pewter Plates, val. 11 s. five Pewter Dishes, val. 5 s. and a Sheet, val. 12 d. the Goods of *Peter Eade*, Octo. 16. Guilty, 10 d.

§19. *Daniel Sullivan* was indicted for stealing five Pewter Plates, val. 3 s. 6 d. the Goods of *William Weaver*. Guilty, 10 d.

§20. *Ann*, otherwise *Mannah*, otherwise *Johanna Price*, was indicted for privately stealing Half a Guinea, and 18 d. from the Person of *John Gooday*, Aug. 14.

Gooday. On the 14th of *August*, between Eight and Nine in the Evening, I was going up *Fleetstreet*, and met with a Woman, who stopp'd me, and asked me to give her a Drink, and she carry'd me into a Room up one Pair of Stairs in *Salisbury-Court*. I was no sooner in the Room, but the Prisoner came up with a Quartern, and bid the Woman I brought in go down Stairs,—she would stay with the Gentleman, (meaning me) herself. As soon as the Quartern was out,

S f

the

the Prisoner demanded the Money for it, so I put my Hand in my Pocket, and pull'd out out 2 s. and Half a Guinea, and I give her a Shilling to change, and put the rest of the Money into my Fob. Then (in a very impudent Manner indeed) she sat down on my Knee, and solicited me for more Liquor, and during the Time of Solicitation, I found her Hand in my Pocket: I charg'd her with it, and she immediately rose from my Knee, and ran down Stairs; I pursued her, and saw her give something into the Hand of a Woman on the Ground-floor. Upon which I got a Constable, and charg'd him with her; but there was such a Mob rose upon me immediately, that I thought I should have been murder'd.

Prisoner. There was a great Mob indeed, and I thought I should have been duck'd, but the Prosecutor got me to the *Elephant and Castle* in *Fleet-Lane*, and there he kept me, and told me he had lost his Master's Money, and if I would give it him again, I should be discharg'd. Guilty, 10 d.

521. *Margaret Betts* was indicted for stealing three Linnen Shirts, and several other Things, the Property of *George Worley*, Sept. 14. Guilty.

522. *William Birch*, otherwise *Birchman*, otherwise *Birchmore*, was indicted for stealing five Wether Sheep, val. 35 s. the Goods of *Edward Benton*, Gent. Dec. 4. Guilty.

523. *Francis Brooks* was indicted for stealing a wooden Cask, bound with four Iron Hoops, val. 2 s. the Goods of *John Palmer*, Sept. 17. Guilty, 10 d.

524. *John Hastings*, commonly called *Lord Hastings*, was indicted for stealing a Bell Metal Mortar, val. 40 s. the Goods of *George Flemming*, in his Shop, Oct. 5. Guilty, 4 s. 10 d.

525. *John Evans*, of *Hillendon*, was indicted for assaulting *Henry Fisher*, and feloniously demanding his Money, Sept. 15.

He was a second Time indicted for unlawfully assaulting *Henry Fisher* with a wooden Stick, with an Intent the Moneys of the said *Fisher* to steal; &c. Guilty.

526, 527. *Cuthbert Wharton* and *John Deacon* were indicted for breaking and entering the Dwelling-house of *Henry Carrington*, about Eleven in the Forenoon, (no one being in the said House) and stealing a Silver Porringer, val. 30 s. &c. &c. Sept. 26.

Mr. Carrington. On the 26th of September I lost all the Goods mentioned in the Indictment, out of my House in *Charles-Square, Hoxton*; but I don't know who stole them. When the Prisoners

were carry'd before *Mr. Justice Farmer*, they neither deny'd nor confess'd the Fact.

James Steward. On the 26th of September, as I was going thro' *Mill-Yard* into *Rag-Fair*, about Ten o'Clock in the Morning, I met the Prisoners. *Wharton* asked me to go with him and *Deacon* to *Mr. Carrington's House* at *Hoxton*: I went with them, and we watch'd till the Maid went out; then *Wharton* lifted me over the Pales before the Door, and I dug up the Threshold of the Door with a Butcher's Knife, and made a Hole under the Door, thro' which I endeavour'd to get into the House; but I stuck in the Hole, and could hardly get out again. When *Wharton* found I could not pass thro' the Hole, he wrench'd the Door off the Hinges with the Threshold which we had dug up; then we went in, and took a Silver Porringer, seven Silver Tea-Spoons, and a great Spoon out of the Kitchen; a Hat out of the Hall; a Wig, a Shirt and a Handkerchief, out of a Room above Stairs, and a Bottle of Brandy out of the Maid's Room. When we had taken these Things we came down Stairs, and went out of the House, thro' the Door that goes into the Garden, and carry'd the Goods to *Wharton's Lodging* in *Rag-Fair*: But upon offering them to Sale in the *Back-Lane*, I was stopp'd, and afterward *Wharton* was taken likewise.

Deacon. Was I in the House with you?

Steward. No: *Deacon* stood behind the Pales to tip *Tommy*, that is—to tell us if any body came.

Sarah Ibbott. On Wednesday the 26th of September, about Nine o'Clock in the Morning, I went after my Master to *London*, and left the House safe. When I came home, I found the Doors open, between Eleven and Twelve, and the Garden-Door was dug under, and the Threshold taken up. The first Thing I miss'd was a large Silver Spoon, and afterward we found all the Goods had been taken away which are mention'd in the Indictment.

Shadrach Hamman. A Man (who is now in Court) brought the two Prisoners and these Goods to me, to take Charge of.

Mr. Carrington. I seal'd them up myself: This Porringer, this Wig, and these Shoes are mine. The Hat and the Shirt are not here.

Thomas Sullivan. On the 26th of last Month, as I was going along *Rag-Fair*, a Woman call'd to me, and told me, that *Cuddy Wharton*, and two other Lads, had brought her these Things to buy, and that they were to come again presently to know if she thought proper to have them. In Half

Half an Hour, *Deacon* and the Evidence came to see after the Goods they had left with the Woman, and I seiz'd them. *Steward* confess'd he had committed this Robbery with *Cuddy Wharton* and *Deacon*, and by his Directions I went to Mr. *Carrington*, with what Goods he had taken, and he own'd them. I found the Threshold of the Door dug up, and every Thing in the Condition *Steward* had mention'd. When I came back from Mr. *Carrington*, he (*Steward*) gave me some broken Spoons out of his Pocket, and told me *Deacon* had more in his Pocket: Accordingly we search'd *Deacon*, and I saw these Tea-Spoons taken out of his Pocket.

Mr. Carrington. These are mine.

Nathaniel Harris. These are what I took from *Deacon*: There's a Spoon, and Part of another. He own'd the Fact, and beg'd I would do him what Service I could.

Wharton. When the Thief-takers took me, they asked me to make myself an Evidence, but I told them I was innocent, and told them where I work'd; so they bid me go home about my Business; but next Day, about Eleven o'Clock, *Harris* came and took me from my Work.

Harris. *Steward* did not make himself an Evidence till the next Day; so we did not know till then that *Wharton* was concern'd in the Fact. I don't remember my asking *Wharton* to make himself an Evidence: He did tell me he work'd upon the Keys before he was secured, and the next Morning *Sullivan* took him there.

Deacon. 'Tis pity this Man (*Wharton*) should suffer wrongfully: I never saw him till these Men brought him to me. *Steward* got into the House, and robs'd the Things out to me. *Wharton* acquitted; *Deacon* Guilty, 4s. 10 d.

128. *Harp Tedman* was indicted for stealing thirteen Ells of Holland, val. 30 s. the Goods of *Thomas Clapham*, in his Shop, *Offe.* 12. Guilty, 4s. 10 d.

129. *John Morgan* was indicted for a Misdemeanour, for that he, on the 2d of September, and upon *John Pay*, [one of the Officers of his Majesty's Customs, on board a Ship called the *Voluntier*, then within the Limits of the Port of London, and in the Execution of his Office] did make an Assault, and him, in the Execution of his Office aforesaid, did forcibly obstruct, &c. against the Form of the Statute, &c.

And likewise, for that he, on the 2d of September, the said *John Pay* did beat, wound and evil intreat, &c.

And farther, for that he, on the 2d of September, on *John Pay*, did make an Assault, and him

did evil intreat, and do to him other great Damage, &c.

John Howard. I and Mr. *Pay* were station'd on board the *Voluntier*; we came up to *Ratcliffe-Cross* on the 1st of September, and the Ship lay facing that Place between Twelve and One in the Morning, September the 2d. At that time it was my Turn to watch; and hearing a Noise between Decks, I went down with my Candle and Lanthorn, and found the Prisoner and the Boatswain with two twelve-Gallon Casks of Rum; I told them I must take Care of them; but while I was arguing with the Boatswain, the Prisoner got one of them up upon Deck: I told him that he belong'd to a Man of War, and was only employ'd to work the Vessel up the River, and therefore that he had no Business with the Liquor; and I call'd to Mr. *Pay*, and to Mr. *Blake*, (an Excise-Officer) to help me; and we carry'd the Casks into the Steerage. Then I went down, and found two more Casks in the Bulk-head; but before I could remove them over the Cable-Teer, I heard *Blake* cry out, *Murder!* Upon this I ran up, and found the Candles and Lanthorns beat out, and the Prisoner immediately knock'd me down: The two first Casks which we had stopp'd, we had carry'd into the Steerage; and they were left under the Care of *Pay* and *Blake*: but while I was gone down to search farther, they fell upon the Officers, beat them, and got the two Casks over the Side of the Ship. When I found the Candles beat out, I attempted to strike a Light, and then they struck me a Blow in the Face, and beat away my Tinder-box, and got two more Casks from us, damning us, and telling us, — they would have them, or they would have our Bloods. When the Prisoner was taken, he told us where the Liquor was, and we found it, according to his Direction, at the *Lamb and Star* at *New-cranes*.

Counc. When you came up, on the Cry of *Murder*, did you see the Prisoner do any thing to Mr. *Pay*?

Howard. No; I was knock'd down as soon as I got up. I am a Custom-house Officer; this is my Deputation, and I was on Duty on board this Ship.

John Pay. Between Twelve and One, that Night, I came out of my Cabin to make Water; and was going in again; but my Partner hearing a Rumbling, he took a Candle out of the Steerage, and call'd me to see after this Liquor. I roll'd out one of the Casks; and as I was going for the other, I saw a Man carry away one of them.

Counc.

Counc. While the two Casks of Rum were under the Custody of you and Mr. Blake, did the Prisoner do any thing to you?

Pay. When I told them they must not take the Rum, somebody knock'd down our Lanthorn, and I was immediately knock'd down too. The Prisoner was present; but whether it was he, or not, I cannot tell.

Mr. Blake. I was there at the same time. The Prisoner took a Cask from me, but I can't say I saw him do any thing to Mr. Pay. Acquitted.

He was a second Time indicted (as above) for assaulting and forcibly obstructing, beating, &c. *John Howard* a Customhouse Officer, in the Execution of his Office, on board the said Ship, Sept. 7. The Evidence was the same as in the former Trial, and the Jury found the Prisoner * Guilty.

530. *John Cuttle* was indicted for stealing 7½ lb. of Turkey Cotton Yarn, val. 5 l. and a Canvas Bag, val. 12 d. the Goods of *Francis Brownsmith* and *Christopher Goodeve*, September 25. Guilty.

531, 532. *James Fido*, and *William Turner* were indicted for assaulting and carnally knowing and abusing *Mary Fido*, an Infant, about the Age of Seven Years, Sept. 20.

Mary Fido, on account of her tender Age, was not sworn; and the other Evidence not being sufficient to affect the Prisoners, they were Acquitted.

533. *Richard Merrim* was indicted for stealing 8 Doz. of Ivory Combs, &c. the Goods of *Thomas Horn*, in his Shop, Septemb. 18. Guilty, 4 s. 10 d.

534. *Sarah Withers* was indicted for stealing a Piece of Camblet, val. 10 s. the Goods of *George Collins*, in his Shop, Septemb. 10. Guilty 4 s. 10 d.

535. *James Wood* was indicted for stealing two Silver Tankards, val. 17 l. and four Silver Spoons, val. 40 s. the Goods of *Edward Edwards*, in his Dwelling house, Octob. 2. Guilty 39 s.

536. *John Drinkwater*, of St. Sepulchre's, was indicted, for that *Catherine Kaylock*, otherwise *Harrison*, on the 10th of December, in the 12th Year of his Majesty, in the Parish of St. Bride's, a Repeating Watch, with the Outside and Inside

Cases, made of Gold, val. 20 l. the Goods of the Right Honourable *Sackville Earl of Thanet*, privately from the Person of *William Lorton*, did steal, &c. and afterwards, on the 18th of December, in the said Parish, he, the said *Drinkwater*, on account of helping *Nathaniel Delander* to the said Watch, feloniously did receive and have from the said *Delander* the Sum of 8 l. 8 s. as a Reward for helping him to the said Watch; the said *Catherine Kaylock*, the Felon, not being apprehended, nor did the said *Drinkwater* apprehend, or cause the said *Catherine* to be apprehended and brought to Trial, nor did he give Evidence against her; contrary to the Statute, &c.

The Council for the Prosecution set forth, That the Offence charg'd upon the Prisoner was Felony by the Act 4 Geo. c. 7. §. 4. "To prevent Persons acquainted with Thieves from following the pernicious Practice of procuring stolen Goods from the principal Felons, and making them over to the right Owners for a Sum of Money, without discovering the Felon"; and offer'd to prove it in the following Manner, viz. That the noble Lord above-mentioned having sent a fine Gold Repeating Watch to Mr. *Delander* to be mended, *Delander* delivered it into the Custody of a Workman of his one *Lorton*. As *Lorton* was going home with the Watch, he fell into the Company of *Catherine Kaylock*, and she pick'd his Pocket of it. The Defendant hearing of Mr. *Delander's* Loss, and that one *Pope* and *Kaylock* (the Husband of *Catherine Kaylock*) were in the Compter on this account, he apply'd to one *Lydia Goodwin*, (who is acquainted with many of this Sort of People) and told her if she would go to the Compter with him, and be instrumental in getting the Watch, it might be a good many Pieces both to her and him. Accordingly, she went, and the Defendant got the Watch into his Possession; but he being pretty well aware of the Penalty of the Act, it made him cautious in what Manner to restore it to Mr. *Delander*; for he did not do it openly, and with his own Hands; but it was to be left at a Tavern, in a Room, under an old Almanack. The Money was first to be put there, and when the Money was taken from thence, the Watch was to be left. And that the Prisoner actually had the Watch in his Custody they offer'd to prove in this manner, viz. The

* By 6 G. c. 21. § 34. Persons convicted of forcibly hindring, wounding, or beating any Officer of the Customs, in the due Execution of his Office, shall be transported for such Term as the Court shall think fit, not exceeding seven Years; And this Person was accordingly sentenced to be transported for seven Years.

came home one Night in a very great Passion with his Wife, and cry'd, D—n, you, why don't you turn out? But she not being dispos'd to go out that Night, he was angry, and said, — then these two innocent people in the Compter shall not suffer; fetch me the Hatch down Stairs, — I will give it to Mr. Delander again; upon this she went up and brought it down, and deliver'd it into the Prisoner's Hands, soon after which it was restor'd to Mr. Delander.

But before the Witnesses were sworn, the Defendant's Council beg'd a Point of Law might be spoke by Way of Objection to the Prosecution of this Indictment: And the Council for the Prosecution having admitted, that *Catherine Kaylock* (the principal Offender) was dead, and had not been convicted; the Defendant's Council urg'd, that the A& directs the same Penalties and Judgment [that is, the same pains, &c.] shall be inflicted on, and given against the Person that receives Money for restoring stolen Goods, &c. as should have been given against the principal Offender for stealing them, and that he shall be guilty in the same Manner, and shall suffer as for the same Crime the principal Offender had been guilty of. That the Crime charged in the Indictment was privately picking a Pocket, which is a capital Felony; but upon the Trial of the Principal (*Kaylock*) it might have came out only a single Felony; the Evidence might not have been sufficient to have convicted her of picking the Pocket, but yet it might have been sufficient to have caused the Jury to have convicted her of a single Felony: And if, upon Conviction of the Principal, it had come out a single Felony, then the Defendant must not have been indicted for a capital Felony, &c. therefore it was impossible to know what Punishment to inflict on the Defendant, unless the Principal had been convicted. But the A& expressly requires the same Judgment in this Case, as should be given against the first Offender; but as the first Offender had not been convicted, *non constat*, whether the Crime was single Felony, petty Larceny, or Capital.

It was farther observ'd for the Defendant, That this Case allied with that of *Principal and Accessary*: That restoring stolen Goods was not a Felony at Common Law, it was only a Misdemeanor, but it was made Felony by a particular A&, and yet it was never known that an *Accessary* was convicted of Felony, till the *Principal* had been convicted, and when the *Principal* could not be found, the *Accessary* could not be indicted for a Felony, but only for a Misdemeanor, &c.

The Substance of the Reply to these Objections was, that if they were to prevail, the A& would be frustrated, and the Subject frustrated of all the Benefit intended by it: That if the *Principal* had been taken, a Bill found against her, and she had dy'd, or been dead before Trial, it would be hard that the

A& should be eluded, when the Fact mentioned in it could be prov'd by sufficient Witnesses; and as to the Comparison of this Case to that of *Principal and Accessary*, it is laid down in *Hale's*, that tho' the *Principal* does not appear, the *Accessary* may be put to Answer in a Way of Defence; and Serjeant *Hawkins* says, that tho' by ancient Authorities, the *Party* is not to be compell'd to answer before the *Principal* has answer'd, yet the contrary Opinion (he says) he takes to be settled at this Time. It was farther urg'd, that the present Case was a different Case, and the Fact charg'd on the Prisoner was an independant Fact: That the Gentlemen had mistaken the Words of the A&, which were, That the *Party* (supposing him Guilty) shall suffer according to the Nature of the Felony committed (which was to be prov'd by the Circumstances of the Case): That the A& does not say he shall suffer as a *Principal*; but, if he is guilty, he shall suffer Pains and Penalties, according to the Nature of the Felony committed, and it does not mention a Word of the *Principal's* being first convicted.

It was likewise observ'd, That in the Case of *Jonathan Wild*, the *Principal Felon* was not convicted when *Wild* suffer'd: And if the whole of the Charge against the Prisoner was but a Pretence, yet he was under the Cognisance of the A&, (for the Words of every A& must be suppos'd significant) and this A& says, If any Person, under Pretence of restoring, &c. shall receive Money, &c. he shall suffer, &c. and if it was a meer Pretence, he must answer, tho' he must be convicted before he can suffer.

It was farther observ'd by the Counsel for the Prosecution, That they were ready to prove, that Part of the Indictment that affected *Catherine Kaylock*, and tho' it was not to be prov'd by Record, but by Witnesses *viva voce*; yet, if that was prov'd, it was hop'd they should be allowed to proceed to the Proof of the other Part which affected the Prisoner; and if both Parts of the Indictment were prov'd, then the Court would be under no Difficulty to know what Judgment the Prisoner ought to receive; because the A& says he ought to receive the same Judgment as if he had pick'd *Lorton's* Pocket himself. It was again urg'd, that this Construction would be an absolute Repeal of the A&, and directly contrary to the Meaning of it, &c.

To which it was answered, That it was now impossible to convict a dead Body; That there was many a Case that might be called *casus omissus*; That the *Party* might die, and a Man might be disabled from doing what he intended to have done for his Country; That the other Side knew the *Principal*, and if they had taken her, and the Defendant had refused to give Evidence, then they would have come with a good Grace before the Court; That the A& relating to *Principal and Accessary* plainly chalks out the Method

of Proceeding in such Cases; which is, that the Court should give such Judgment against him, as against the *Principal Felon*, and it was impossible in the present Case to know what that Judgment must be, because it would have been in the Breast of the Jury to have found it either a Transportable, or a Capital Felony; That it was incumbent upon them to shew what kind of Judgment was to be awarded against the *Principal*, but as the Act of God had put it out of their Power, it was now impossible.

That the Observation that had been made of a Man's taking Money under a meer Pretence of restoring stolen Goods, being within the Act, is not sufficient, because the Act lays it down, that the Goods must be stole, though it be not expressed therein *totidem verbis*, yet it says, such Offender shall be punished as if he had stole such Goods, and in such a Manner, and with such Circumstances, as if the Offender had stole them; and the particular Kind of Stealing must be proved, and the Manner of it, before Judgment can be given in such a Case as this.

That as, to the Citations from *Hale* and *Hawkins* though they say the Accessary may be put to answer yet his Tryal was never proceeded on, till the Principal was try'd. And an Instance was mentioned where a notorious Receiver of stolen Goods was taken and nothing could be done against her till they had got the Principal; who being taken, was try'd, and burned in the Hand immediately, that he might then be a Witneſs against the Accessary.

That as to *Jonathan Wild's* Case, the Exceptions were not then made. And as to the Objections being a Repeal of the Statute, it was otherwise, for the Man that helps another to stolen Goods for Money may be laid hold of, and then for his own Security he will discover the *Principal*, &c. &c.

Upon the whole no Evidence was given. Acquitted. The sentence passed on the Prisoners will be found in the following TABLE.

The next ensuing Sessions to begin on Wednesday the 5th of December.

GOD Save King GEORGE.

PERSONS TRY'D at the Old Bailey, IN THE Mayoralty of the Right Honourable MICAJAH PERRY, Esq.

N. B. The Figures refer to the Number of the Trial.

Those Mark'd D Received Sentence of Death.
B Were Branded.

T Were ordered for Transportation.
W Were Whipped.

A com Barbara 486	Bates Jane 4	T Bowlin Honour 288	T Burch William 137
D Adamson D. 166	T Bell Margaret 330, 475	W Bowmaster Eliz. 498	T Busco Elizabeth 114
D — John 80	T Benbrook Abraham 74	B Boyce John 223	Butler Ann 200
Akers Margery 238	Bennet Elizabeth 493	T Bradley Joseph 47	T — Thomas 460
D Albin John 432	Bennet James 492	T Bradstreet Francis 98	T Butteriffe Robert 444
— Fortunatus 433	T Berry Matthias 219	Brady John 146	
T Alexander Will. 351, 356, 357	T — Michael 370	W Bray Alice 413	D Caldcrough James 338
T Allen Ann 227	T Betts Margaret 521	Brethed Robert 205	W Cale Elizabeth 142
— Elizabeth 469	T Bewly Sulannah 199	Bridge Thomas 195	D Campbell Edward 151
Andrews John 25	T Bignal James 428	D — Thomas 403	W Candy Mary 464
— Robert 26	Bilby Mary 446	T Britt John 414	D Cardell William 430
Arnold James 335	Birch Catherine 40	D Broderick George 400	T Carey Henry 243
— Walter 105	T Birch Mary 308	T Brooks Francis 523	W Carter Jane 421
D Audley Peregrine 154	T — William 522	Brown John 346	T — Thomas 70
Austin Margaret 176	T Bird Bertrum 371	— Lucy 215	T Cartwright Eliz. 451
T Ayris Edward 97	— Samuel 378	— Thomas 6	D Cary William 367
	Birkenhead John 169	T Bull John 118	Cassey Joseph 297
W Bailey Jane 417	Blacket John 64	T — William 294	T — Patrick 115
Barnes Sarah 237	T Bluyman Hannah 375	T Bullinbroke Mary 347	Castle Ann 298
W Barnett Mary 510	Bone John 279	D — William 16	T Cawkin Alice 481
T Basson Mordecai 278	T Booth Elizabeth 152	B Bum Abel 156	Chandler Deb. 167
	T Bosworth John 214	W Burgoyne Jane 508	Chetwood James 127

D Child William	86	T Deck William	24	Oardiner Thomas	183	T Higginson Charles	344
Clacey Sarah	286	Demay Catherine	76	T Garner Rebecca	314	T Hill Henry	122
Clapham Ann	129	T Dennis Thomas	427	W George John	440	Robert	173
T Clarke Samuel	81	T Devon Elizabeth	434	T Lark	250	Thomas	529
— Susannah	379	T Dewsbury John	393	T Ghoft Joseph	110	W Hildard Phineas	43
T Clency John	351	Deykin George	95	Gibbins Thomas	184	T Hipwell William	132
T Coates John	462	B Dickenson John	42	Gilbert John	261	T Hichins Joseph	287
T Cock Thomas	212	B — Robert	41	T Giles Mary	380	Holland Ann	139
Cockle Charles	71	T — William	386	Gillon Edward	366	T Hollis Jane	27
T Cockram William	46	Disney William	281	T Glas Anthony	353	Holman Elizabeth	46
Coe Richard	471	W Dove Elizabeth	22	T — John	32	Holmes Elizabeth	388
Coggleshead Robt	472	Drinkwater John	336	W Glossop William	463	T Hooper Henry	12
Cole Joseph	285	W Drinkwater Tho	387	Godwin Henry	231	Hopegood Joseph	128
W Colebourn Eliz	445	T Duncult William	268	T Goldsmith Eliz	465	Hofman Elizabeth	252
T Coleman Joseph	365	T Duncomb Samuel	77	Goodman Edward	377	T How Samuel	14
T — Thomas	283	T Dunn Paul	316	T Goodyere Cathar	470	T Howard John	79
Comfort John	196	Dyer Richard	385	T Gordon Ann	226	Hudson Lewis	262
T Compton Thomas	165			— Mary	5, 111	Hughes Abraham	290
T Conolly William	191	D Easter Thomas	89	T Gorman Eleanor	106	T — John	211
T Connor Campbell	100	Eastmead Margaret	391	T Gough Mary	44	W Hull Margaret	518
Constable Henry	310	— Thomas	390	D Goynes Edward	435	T Hume Joseph	372
Conyer Sarah	171	T Edward John	459	Gray Henry	336	T Hungerford John	188
Conyers John	61	T Eles William	395	Green James	101	W Hunt Christiana	59
Cook Robert	487	T Eliot Samuel	35	T — William	494	T — Edward	366
Cooley Thomasin	186	B Ellegood William	198	— William	203	T Hutton Thomas	10
Cooper William	123	Elton William	56	T Greenaway Will	328		
T Cope Eleanor	312	T Emmery Arthur	389	Gresham Sarah	164	Jackson James	369
T — John	284	T England John	275	T Grey William	263	D James Constantia	18
Cording Robert	394	B Etherington Eliz	240	T Grimson James	155	D — James	88
Corker Mary	246	T Evans James	491	Groom Hester	107	T — John	363
Cressley John	222	T — John	525	T Growden Ann	53	T Jenkinson Edward	352
T Crockat John	181	T — Mary	217	T Gulph James	23	T Jerman John	136
Cross Anthony	384	T Evert Elizabeth	313	Gumb William	209	T Johnson Anthony	426
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